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# THE GREAT ISSUE:

OR,

*Dr. Ferguson*

THE THREE

# PRESIDENTIAL CANDIDATES;

BEING

A BRIEF HISTORICAL SKETCH OF THE FREE SOIL  
QUESTION IN THE UNITED STATES, FROM  
THE CONGRESSES OF 1771 AND '87  
TO THE PRESENT TIME.

BY O. C. GARDINER.

[LATE ASSOCIATE EDITOR OF THE DEMOCRATIC REVIEW.]

NEW-YORK :

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1848.

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## PREFATORY NOTE.

It is the aim of the following pages to show that two moral questions of great and vital importance are connected with this Presidential contest. With respect to these, a solemn duty is imposed upon every voter. To neglect or evade it would be a criminal abuse of a most sacred right. To shed light upon this duty four classes of facts are presented. The duty is rather suggested than argued, as an obligation, which, from the nature of these facts, inevitably follows. The old party issues are for the most part settled. A new one has arisen, appealing to new and higher motives than the old. It takes direct hold on the purity, if not the very existence, of our civil and religious freedom as a nation; it infinitely transcends them all. In the light then, first, of the late events in Europe, which have so deeply stirred our national sympathy; secondly, of the peculiar facts of our position as a model republic to all nations; thirdly, of the solemn and heart-stirring facts connected with the legislation of the fathers and founders of this republic; and fourthly, of the bold and open fraud, the violent assumptions, connected with the late party contests of our country—in the converging and focal light of all these events, our imperative duty is suggested.

In the latter class of facts will be found an account of the late division in the Democratic party of this State, the origin of the terms by which the two parties are designated, and an authentic history of the five conventions by which the great Free Soil party of the North has been brought into existence. Several important papers and speeches have been omitted, because of the extent of space they would occupy. Among these are the very able address of the Democratic members of the Legislature, and a clear and searching speech of B. F. Butler, Esq., of N. Y., exposing the Compromise Bill of Mr. Clayton—the speech of an able and faithful officer of the Government, who knew his duty and feared not to do it—of one who could receive with entire calmness the shock of executive vengeance in his removal from office, as a grateful reward for his eminent talents and influence in elevating that Executive to the high office he now enjoys.

State organizations have been formed in all of the free, and in some of the slave states ; and over nearly all the Union, free soil associations and the most enthusiastic meetings have extended. Even a brief outline of these would swell the work to an undue size. For this reason, the frank and highly honorable letter of the Hon. John P. Hale, withdrawing his name as the candidate of the Liberty Party, and supporting Van Buren and Adams, has been omitted.

The brief history of this question in the 29th Congress, also, is covered but in part by the speech of the Hon. David Wilmot, at Herkimer.—New York, though not the first, was in the van of this great movement. Her able Senator, John A. Dix, in a most powerful free soil speech in the Senate, in March, 1847, on the "*Three Million Bill*," nearly two years ago, closed with these emphatic words :— "*But I say for her, (New-York,) and in her name, and I believe I do not misunderstand her resolutions, that she can never consent to become a party to the extension of slavery to free territory on this continent.*"

Many of the documents contained in these pages are among the ablest political papers which have come before the country since the formation of this government. They disclose the honesty, firmness and intelligence of those who have enlisted under the Free Soil banner, and that with the names of VAN BUREN and ADAMS inscribed on its ample folds, they are determined never to yield the contest till the victory is won.

NEW-YORK, Oct. 2, 1848.

Errata, p. 96. For CHARLES F. ADAMS, read HENRY DODGE.

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## CHAPTER I.

LATE FOREIGN EVENTS—OUR CONFEDERACY—THE PRESENT CRISIS—  
TWO MORAL POINTS INVOLVED—MORAL POINTS, HOW VIEWED.

THE years '46, '7 and '8 have already become memorable in history. Into this period, in rapid succession, have been crowded events of momentous importance to the human race. In our own country, beloved and cherished above all others for her free institutions and her liberty, Congress has passed many organic and important laws for the common welfare. Since the opening of '46, it\* has ratified no less than twelve treaties with foreign powers. By one, it has settled that long vexed and harassing question of our western boundary beyond the Rocky Mountains; by another, it has established peace and perpetual friendship with a leading nation of the world, and opened to our commerce five most valuable ports of its empire; by others, it has given us reciprocity and equality with nations to which our commerce is rapidly extending, and last, and not least, by another still, it has added a vast territory to our limits, equivalent to 14 of the Empire State, and which more than any or all of these compacts, is to effect the future destiny of our republic. For a distance of nearly 700 miles north and south, and nearly 1000 east and west, from the Rio Grande and the Anahuac mountains on the east, the Gulf of California on the south, and Oregon on the north, it extends our empire to the shores of the Pacific, making 650,000 square miles, and 452 millions of acres. Within this is found the maritime valley of California, more than 500 miles long and 150 broad—the Italy of America in climate and sky—the region of the vine and olive, and rich beyond many other parts of the earth for all the grains of our Atlantic coast. As a diamond, on its bosom rests the bay of Francisco, adequate to the navies of the world. But a short pathway will lead its ships to the Eastern Empire. Here the tide of civilization is to extend, and this valley, the broader interior and the banks of the Rio Grande, are by this compact to be peopled with myriads of free-men, or with millions of slaves. In the lines of this issue have fallen many gallant and noble spirits. It has cost treasure and blood,—seventy-five millions and twenty thousand men. These are some of the events which have passed before us fraught with the deepest interests of humanity, and of a magnitude to form an era in our history.

\* The Executive makes and the Senate ratifies treaties.

In the old world, events still more striking, and of profounder issues, have crowded these calenders. The last strongholds of feudalism, as if by the decay of time, have given way; throne after throne has crumbled and fallen; dynasties have been destroyed; orders of nobility have been abolished, and kings and princes have fled in exile for safety, before the sweeping power of revolution. From the Mediterranean to the Baltic Sea, and from the English Channel to the Empire of Russia, it has upturned the foundations of society. It has passed over one empire, nine kingdoms, and nearly forty states. On a wide extent of these ruins has arisen the fair form of free republics, and on much of it, if not all, a living, law-abiding liberty. If you pass even hastily over these events, the mind is at all points carried back to remote cause. It sees the contagion of one revolution the *occasion*, not the *cause*, of another. The cause has long existed, deep in accumulated wrongs and injuries. The occasion but stirs up these wrongs from their lowest depth, and that sense of injustice, for which God and not man has given the soul a capacity, becomes a moving and resistless force. At every step, we trace the true causes to the mazes of that cabinet policy for which the modern European states system has been distinguished. By this, kings and princes have given to their subjects the form without the life of constitutional liberty, while by a slow and silent process they have drawn around them a cordon of power, through which no force or combination of force, within its limits, could apparently break. But the finger of Providence has here and there moved silently and indirectly in matters trivial to human eyes, yet pointing and directing the while those higher and startling events, which unseen have come suddenly and in their terrible might, to break this power, and to give, for all time to come, the oppressor and oppressed a common level. More than this: in each and all, we have witnessed in the political world the unerring operation of Newton's law of forces in the natural. Every reaction for the rest and peace of liberty has moved forward with a force and rapidity precisely in the ratio of the power which had depressed and enslaved the millions within its sphere. It is the law of all revolutions wherein justice and equal rights are the end. He who created all men equal and of one blood has so ordained it.

These later movements in the cause of freedom in Europe extend back to the English parliament of '46 and '7. For a half a century questions of so much moment had not engaged it. The English Poor Law reaches back to the middle of the 14th century. It is venerable for its antiquity, if not detestable for its ponderous machinery, and as an engine of the most flagrant abuse. It has long been swelling the list of English paupers. It is annually swallowing up not less than five millions sterling. It

had become one of the most perplexing questions in parliamentary legislation. But with famine, decimating suffering and distracted Ireland, with scarcity threatening a like calamity to Scotland, Germany, and France, the extension and revision of this poor law was forced upon parliament at the opening of '46. The corn law had before been the great question of the day. But the starving condition of the nations now made the complete abolition of the corn duty more than ever necessary. This also became one of the great questions which engrossed it. Following this, came a system of national education, forced upon it, by the wants and demands of the people. These were important and grave subjects. They involved some of the highest principles in the bill of rights, of a free people. On these, some of England's greatest minds took bold and high ground for reform. Among these were Peel, Cobden, Bright, and Russel. For a half century parliament had not held so bright a galaxy of civil reformers. They came into the conflict with the firmest reliance on the justice of their cause. Their victory was decisive and important. The corn laws were abolished. In the eye of the world it was the result of a momentary pressure. Its estimate therefore, for good or evil, was less important. But it was not the less a decided advance in the cause of freedom. The contest on all these questions was severe and protracted, yet from the crucible of discussion came out the pure gold. Higher and purer principles were made the basis of legislation. The pulsations of a higher freedom which now beat but a little stronger in one state of the great system, vibrated to the remotest extremity of the body politic.

The moral effect of the famine was to the same great end. This signal Providence, by which two millions of the Irish people were swept in the most fearful manner, into a common and premature grave; this scarcity which in numerous countries pressed so hard on the destitute, gave occasion, both to America and other nations, for one of the brightest examples of benevolence ever recorded in history. It was more than doubly blest. It saved the dying; it quickened the heart of every nation, moved to the deed of mercy. Still more, it begat in the minds of every nation whose ear had heard even the lowest note of their cry, the same heaven-born impulse. It impressed prince and peasant, rich and poor, with the same God-like sentiment, that if upon the wide family of nations there may fall a common calamity, to it also, there must belong an *universal brotherhood of right*. In all the nations it had not equal force. To some it gave hope; to others faith. But it was this sentiment whatever the cause—whether scarcity or famine, or new light breaking in upon the mind and heart of man; it was this, which especially pervaded the masses of the people. When the first blow was struck for

freedom, this sentiment became a mighty impulse, and like electric fire passed into every mind, and what before were dreamy visions, now became joyful reality.

Following the course of this movement, we pass to Italy. On the 1st of November, 1814, a Congress of nations met at the Austrian City of Vienna. There were present the Emperors of Austria and Russia, the Kings of Prussia, Denmark, Bavaria, and Wirtemberg, and the Dukes of the smaller states. Of Ministers, there were Cardinal Gonsalvi, of Rome ; Prince Metternich, of Austria ; Lord Castlereagh, and Duke of Wellington, of Great Britain ; Von Humbolt, and Prince Hardenburg, of Prussia ; and of France, Talleyrand and Dalberg. During its sitting, Napoleon reappeared in France. After a session of four and a half months eight of these powers united in a general declaration. On the 25th of March, Austria, Prussia, England, and Russia, had united in a compact, to maintain against him for twenty years the tranquillity and independence of Europe ; each to furnish an army of 150,000 men.

Napoleon demanded the Rhine, on the one hand, and the Alps, with all the points of attack, on the other, as the boundary of France ; for his step-son the empire of Italy ; and that his brothers be indemnified. On the 16th of June following, having crossed the boundary of France with 170,000 men, he fought at Ligny against Blucher. Three days after he met the allied army at Waterloo, under Wellington, where he was cut to pieces, and his star set for ever. With his fall departed the hopes of Italy. In the divisions of the Continent by this Congress, she was given over to the control of Austria.

This league of sovereigns was not alone against Napoleon ; it was also a plan for fortifying the monarchies of Europe, and for dividing the people among these powers. Greece, which had been given to the Sultan, first arose in rebellion. Then followed Poland ; and now comes Italy. Napoleon had improved her cities—he had given her many free institutions ; but from that time she was completely under the ban of tyranny. From the will of the Prince of Austria proceeded all her laws. Few countries have a better position for an independent government. A peninsular, the Gulf of Venice on the east, the Mediterranean on the west, and the Alps on the north,—it has the richest soil on the Continent, the most serene and healthful climate, covering an area of 118,000 square miles, and containing 22 millions of people. It has nine states, or kingdoms, some of which have been the theatre of many of the greatest events of the world. Here was once the birthplace of law, and the source of civilization. Now there was no liberty of speech, or of the press—no freedom of opinion ; the assumption of any was punishable by death. The army was composed of the merest mercenaries ; the police were

from the banditti or prisons. There could be no trial but by secret and special commission. The common law was a dead letter. In every department there was the most odious tyranny. "Even the sacred office of the confessional was perverted; and under the garb of the priest was found the spy of the minister of state, or of Austria."\*

On the 16th of June, '46, Cardinal Ferretti, Bishop of Imola, or Pius IX, was elected Pope. He descended from a noble family, was educated as an officer in the army of Napoleon, but afterwards became a missionary at Chili, and at Montevideo, South America, and thence Bishop of Imola. In Pius, Italy found her true reformer, and with his reign the beginning of a brighter day. With twenty-two millions of people before him, depressed to the lowest point of endurance, he went boldly forward in reforms, which have extended his fame and praise over the globe. He suppressed the secret, cruel tribunals, for the seizure and trial of political offenders; appointed a council of six to deliberate on public affairs; gave public audience to the people; removed his tyrant minister, Lambruschini, still the tool of Austria; united the two highest offices of the State, and conferred them on a worthy man. His own brother was in exile, and by exiles from every quarter was he entreated. On the 16th of July he proclaimed a general amnesty for all political offenders. More than 3000 were then set at liberty, while the Pope headed a subscription for those who had been ruined by imprisonment.

In August the Pope formed a special commission to investigate the subject, and provide a system of education for the poor. The old code of law was abolished, and six of the ablest men in the kingdom appointed to compile another. It gave trial by jury, and comprised, in the main, the judicial and penal systems of two of the ablest writers of Italy.† The censorship of the press was abolished, and immediately ten newspapers, by reviving the old and establishing new, sprang into existence at Rome,—the first printed in English. To public was added private liberality in the establishment of free evening schools for adults, and the opening of the Vatican library to all students at Rome. The influence of these reforms soon extended not only to all the states of Italy but to the heart of Austria and other powers on the continent. The jealousy of Austria was awakened; she feared the loss of power. She marched her forces through the Lombardo-Venetian territory, and encamped within the limits of the Pope. She attempted both by force and by entreaty to array all the princes of Italy against this liberal movement. But the desire for a higher free-

\* See account of the reforms of Pope Pius, in *Whig Review* for November, 1847. By Senor Secchi de Cassali.

† Marquis Beccaria on Crimes and their Punishment. He died Nov., 1793. Filangieri on the Science of Legislation—died 1788.

dom had taken too deep a hold in the hearts of the people to be checked by either. The states of the Church, Sardinia, and Tuscany, now in the van of progress, were soon united in a compact, offensive and defensive, against these encroachments. Yet Austria, bolder still in aggression, occupied Ferrara, and through her emissaries plotted the foulest conspiracies against the life of the Pope. The national spirit and pride of Italy were thus roused to a pitch above any other period in her history, and in less than one month 32,000 volunteer soldiers had enrolled under the flag of Pius. Then commenced in earnest the struggle for Italian independence and nationality. Outbreaks and revolutions have succeeded, until the wayward and despotic spirit of the few Italian princes who had immovably arrayed themselves against the spread of free principles, is broken, and must ere long be entirely subdued, in the growing and vigorous national spirit which pervades and animates the Italian states. Pope Pius, though perhaps reluctantly, has been forced to yield the civil power into the hands of his ministry, thus virtually separating the church from the state. The latter is now free to raise and conduct a national army. The civil power is no longer legally or morally responsible to the church. The subjects of the church may extend beyond the domain of Italy, as the subjects of a foreign power, while the army, arrayed against that power in the national defence, no longer implicates the church as suicidal to itself. The church is, therefore, clear of the charge of war against her own brethren. As a distinct and controlling body, she ceases to be the agent or instrument of war. In the eyes of the Christian world she remains unsullied by its acts, while her numerical force becomes a tower of strength to the army. The civil power alone directs the arm of national defence, moving it with ten-fold strength without the pale of the church, and knowing its enemies only as enemies. This is the condition of Italy, under which all her states have united in an offensive and defensive league against foreign power. Austria has driven out from their territory a portion of her people. But the cloud which for a time rests over the prospects of the nation, will pass away. The German states have advanced too far towards a liberal constitutional, if not republican government, to permit even her strongest power, if it could, to sever these states, and destroy the nationality of Italy. And if the German Diet fail, the combined mediation or the sword of higher powers will assuredly intervene. Whatever, therefore, the trials of the present, Italy has already come into the possession of the great principle of free government. The retrograde of a half century cannot carry her back to the depression and weakness of the reign of her former sovereign. The freedom of speech, religious opinions, the press, are all essentially protected. The hopes of freedom have so quick-

ened the national heart as to renew her life and spirit in every extremity of her domain, from the Alpine border to the Sicilian shore.

If we follow the progress of revolution to France, we have here a kingdom of 200,000 square miles, containing 34 millions of people,—mostly an extended plain, with the mildest of climates, capable of the highest cultivation, and whose vineyards annually occupy above five millions of acres. It has been the theatre of many great events in history: the scene of conflict for the defence of hoary monarchies; more than ten centuries ago the battle-ground of the Saracens at Tours; of the French and English in the middle ages at Crecy and Agincourt, and the theatre of action of the greatest warrior of modern times. The fortresses of ancient power, here strengthened for so many centuries, had become almost impregnable to the armies of the world. Yet the revolution of two brief days has swept away every vestige of this power, and France has become a free republic.

More than half a century ago France was declared republican. In four months, her monarch (Louis XVI) was executed. Then followed Robespierre with a second constitution and the eighteen months' reign of blood and terror. With his fall came a third. In four years Napoleon became Consul, and gave a fourth. In the revolution of 1830 it was the design of the nation to establish forever the sovereignty of the people. But in calming the turbulence of those bloody three days, the Duke of Orleans and Guizot, the master-spirits of the time, averted this happy expected issue. The former ascended the throne under the specious title of Citizen King, while the constitution of their choice—the instrument under which the people have been more and more depressed for eighteen years—was but the old charter of Louis XVIII revived. This was the supposed liberal constitution under which the French were perpetually to be free, while the power reserved to the monarch was all but despotic. Its most striking feature was the absence of all power or method stipulated for its amendment. It could be done only by revolution. The weight of restriction which this charter imposed upon the people was at first apparently light. Prior to the revolution of 1830, Guizot had zealously supported the old charter, now to be revived. In so doing he made the English constitution his model, and aimed to unite the two aristocracies—the *bourgeoise*, or that of wealth, with that of privilege, or birth, on the same level. On the 30th of July, 1830, he was made minister of public instruction, and soon after Louis Philip had ascended the throne, on the 9th of the ensuing month, became minister of the interior. These two men directed or controlled all the changes in this charter, and from that day forward opposed the advance of the liberal, democratic party. Although of the party called "*doctrinaires*," and opposed by ultra-

royalists, the policy of both towards the people was now radically changed. Guizot was educated a Protestant, a man of marked eminence, of great purity and integrity of character, and therefore the more successful and less suspected in his gradual change in the practical administration of the government, from liberal to despotic principles. His line of policy was now in harmony with that of the Citizen King, and the first movements were, to establish the right of the king to the throne by succession, to prevent the extension of suffrage, and to perpetuate an hereditary peerage.—His practice was at direct war with his theory—as developed in some of the ablest works of his pen.

It was this party which carried the three odious laws of 1835, and began openly that succession of encroachments upon the rights of the people which ended in the formal inhibition of political banquets. The first of these laws invested the minister of justice with the power to create courts of assize at discretion, to try citizens accused of rebellion; the attorney general with power to abridge the formalities of these prosecutions; and the president of the court, in the event of disturbance, with power to remove the prisoner and continue the trial in his absence.

The second gave to juries the power of secret voting, and reduced the majority against a prisoner from eight to seven.

The third was against the press. Not a word could be written against the King, or the established government, under a penalty of 50,000 francs—\$10,000. Not a hope or wish could be expressed for a change of government. It prohibited blank signatures by the newspaper press, and obliged editors to make known the authors of all articles subjected to prosecution; it prohibited the publication or sale of all emblematic engravings until submitted to the censorship of the government; and declared that no editor should enter on his duties till he had given security to the government for his strict adhesion to law, in the sum of 100,000 francs—\$20,000—one-third of which must be paid in his own name.

Such were some of the oppressive acts of government which were continued down to the opening of the last French Parliament. As this tyranny became more and more odious, and all discussion of these grievances was denied, it was at length begun and carried on under the disguise of these banquets. They also were formally prohibited, and then commenced the first act of that great revolutionary drama, which, enacted under the guiding hand of a higher power, has destroyed the firmest throne of central Europe, abolished all its orders of nobility, and broken the arm of kingly power over the whole continent.

Upon the ruins of the French monarchy has been reared we may hope an enduring republic. It grants essentially all the rights and immunities secured by the constitution of the United



States. If it fail, it will be in the practical operation of its machinery. It provides executive, legislative, and judicial authority, but one elective assembly. It provides no senate, the great and all-important balancing power of our government. With one assembly only, numerically so great, as the chief constructive power of the government, it is to be doubted if the three powers can ever be perfectly balanced. This great, legislative body of the French Republic carries within itself far more of the elements of factions and dynasties which, though sectional, may be perpetuated, and control and direct the policy of the government.

But although ill educated in reference to principles which lie at the basis of a free and permanent republic, France, whatever the changes of her present fortune, will eventually succeed. Her people have felt too deeply the need, and have drank too deeply of the spirit, of a free government, to go back to monarchy. The anarchy of the past six months bears no comparison with the trying and bloody eras of other times. The moral sentiment of the age is too far advanced. The age of ten and thirty-years' war is past. The war of factions and secret combinations may check her progress, and for the time, it may be, render success doubtful. But the *morale* of freedom, not physical benefits,—the nature and great end of individual right, has touched the heart of the nation. Her generals and leaders can no longer control the masses by the iron arm of physical force. The power that controls must have in it the elements of justice and equality. These great ideas are already in the minds of rulers and ruled. Dark clouds may now hang over France; she may yet longer continue in anarchy; but the bright and peaceful day of constitutional liberty is surely at hand. As she has adopted the principles, she will eventually the form, of the American constitution.

A bloodless revolution has passed over Denmark, and Frederic VII has been compelled to concede to the people the right of association, the right of arming, toleration of religious opinions, freedom of the press, and trial by jury. From Italy, France, and Denmark, revolutions have passed over nearly all Germany;—Austria, the kingdoms of Prussia, Bavaria, Saxony, Hanover, Wirtemberg and the numerous smaller states; and from Germany into Wallachia, a northern state of Turkey. From the Sultan it compelled the liberty of the press, universal suffrage, freedom from servitude, emancipation of the Jews, responsibility of Prince and Ministers, and equality of all before the law.

The Emperor, the Kings and Princes of Germany have made similar important concessions. The spirit, if not the letter of a free constitution has been granted; and all the States of Germany which were the centre, if not the sum total of the European states-system, from the treaty of Westphalia down to this era, have united to form the most important federative system of the old

world, with its Senate, Assembly, and Regent—the Congress and Executive of its United States and Kingdoms. The news of the revolution at Paris ran like a current of electricity, through all the north of Europe. It had a powerful influence upon the outbreaks of Vienna, Berlin, Posen and Baden. It carried dismay to the courts of all the states of Germany. Conventions were held first at Heidelberg, and then at Frankfort, to deliberate on the state of the country. They demanded a new Parliament to be elected from all parts of the German Confederacy. The Diet of Frankfort, made docile and fearful by these events, issued a summons for this election by universal suffrage. On the 18th of May last, the 646 deputies of the new confederacy met for the first time in one of the Protestant churches of Frankfort, reconstructed and formed into a capitol for the new empire. Here were scholars and statesmen, and men of business—such a body of men as had never before assembled together in Germany. They met to organize a national government, to which all the state governments should be subordinate; this to be the central, and the state governments the local powers, retaining every prince on his throne, yet taking from each all powers dangerous to the central body politic. The national body reserves the sole right to declare war, to command the army and navy, to regulate all the relations of the country with foreign powers, to receive and delegate ambassadors, to regulate the currency and the customs. Henceforth citizenship is not confined to locality, but extends to Germans in every part of the empire. One passport will suffice for all Germany. There is to be uniform postage and uniform laws for the administration of justice. It is to secure *individual liberty*—equality of all before the law, trial by jury, the right of association, and a free press. It is to remove all disabilities from Jew, Catholic, or Protestant, and to secure to all the positive blessings of education. The Archduke John, of Austria, sixty-five years of age, who had abandoned the Court of Vienna, and all future claim to the throne, and retired to the industrial occupations of life, has become the head of the Empire. This is the outline of the peaceful reconstruction of Germany. It has given a limited but liberal constitutional monarchy to fifty millions of people.

The elements are yet too chaotic to estimate the exact progress of free principles throughout Europe. A great work however has been achieved. In eighteen hundred years of the past, no entire century has witnessed revolutions extending over so vast a territory, or a struggle more determined and successful for the rights of man. If we except the American colonies, it has been sustained by greater *moral power* than any recorded in history. There has been savage barbarity and inhuman massacre, yet in the midst of the fiercest revolutions, the object once attained, and property, the persons of nobility, and all classes, have

been held sacred by the lowest orders of men. The intrigues of ambition, the blindness of theorists, and the power of factions have all set strongly against the tide of civilization, but it has run swiftly onward. There are, moreover, striking tendencies which point to a *purser* civilization than has been known in Europe in any age of the world. In the strifes of clans and tribes which preceded the thirty years war, and in the issue of this protracted and bloody contest, the state and provinces of the same empire were divided among men of different blood and language. Hence, it required ages to cement and make homogeneous the body politic. But justice and humanity have not only more than ever before marked the revolutions of this era; the tendency is stronger than ever to fix the geographical boundary of nations as nature indicates,—to found empires of kindred blood and language. A design is said already to exist, and the project has been discussed in the heart of Europe, if not in the councils of the most powerful monarchs, to unite all the Sclavonian families;—Hungary, Bohemia, Moravia, Galicia, Poland, Dalmatia and Moldavia, with other provinces of Germany into one great empire; and as a final result of this general movement, to reconstruct—to enlarge or abridge—the nations of the continent, and give to each in a higher degree than ever before, one blood, one language, and one interest.

Such are some of the recent events which have occurred in Europe. From these thrilling events we come to a brief view of our own condition as a great and free people. While all Europe is striving against absolute power, can we rest supinely, or forget that “eternal vigilance is the price of liberty?” What then is the duty of America to the general cause of freedom?

First, in the light of these events and her relation to the mother country.

And, secondly, in view of her relation to herself formerly, as an infant republic.

With Europe, the issues of the present have higher and holier aims than the past. With her, as it has been with us, the struggle is for a free, constitutional government. To us she is the parent stock. We are bound to her not merely by the sympathies of humanity, but by affinities of kindred. We came out from her to make the great experiment in self-government. In this successful experiment we have advanced to the full meridian and strength of manhood, and by the order of Providence now stand in the glorious position of an example to our parent. As such example it is now in our power, if we will, to pay back the debt of civilization—to return light for light, and mind for mind. If the streams which now run back to the parent stock bear no taint or sediment of hypocrisy, they shall rejuvenate, and add a new and vital moral power to its constitutional law. Our

relation as a federative system, is one of which we may well be proud; in its analogy to the systems of modern Europe, or of ancient times. It is infinitely superior in its power to command all the physical resources of the country—its army, its navy, its revenue—for the general welfare; above all, superior in that moral power which binds all parts of our system together.

The system of ancient Greece, that of the Italian Republics of the Middle Ages, the Macedonian system which followed Alexander's monarchy, or that of modern Europe, bear no comparison. Among these, the most important was the Grecian Confederacy. More than any other it bore an instructive analogy to the United States. Each of its twelve States was independent; each directed its own affairs, and had equal votes in the national or Amphyctionic Council. This Council—as our Congress—deliberated on matters of general welfare; it declared and carried on war; decided all contests between the States, and exercised other powers necessary to the common welfare. Yet in this confederacy there was no balance of power to preserve it from factions, or the controlling influence of some one State or section of States; and these finally worked its ruin. The Italian Republics of the Middle Ages were a cluster of some two hundred cities, all of which had similar forms of government. In each, the power was distributed somewhat as in the States of ancient Greece. The greatest in power and influence were Florence, Siena, and Bologna. Each of the twelve wards of Florence had its *anziani* or governor. These formed one body, and held both the executive and legislative power. They were annually chosen. The picture of one of these republics describes all. Nearly all of them finally passed into monarchy, from the same, or causes kindred to those which destroyed the confederacy of Greece.

In the thirty years' war, the Emperor, and one half of the German empire, were on one side, and the other half, with Sweden, on the other. Peace was negotiated, and a treaty formed by the influence of foreign powers. To a fundamental part of this Germanic confederacy, therefore, foreign powers were parties. Its principle was that of a community of Sovereigns, the Diet a representation of Sovereigns.

This Diet was composed of the executive sovereign, and a *triplex* assembly, which together had supreme jurisdiction in all controversies of national character, and formed the nucleus of what may be denominated the modern European system.

In these confederacies, as well as in the simple commonwealths of ancient times, there was a chief head, and one assembly,—whatever the name,—in which all power was virtually centered. In all were found two radical defects. First, there was no equilibrium of power. The stronger states, one after another, were found to strive continually for a predominant influence. There

was no third power to balance the weaker against the stronger. There was no appropriate *separation* of power—the legislative from the executive, and both of these from the judicial. Secondly, there was no moral power pervading and controlling all parts of these systems. Even in the purest, superstition and faction were often the controlling elements. Lycurgus, and the wise men of his time, consulted the oracle of Delphos. Though in Greece there was the high court—the *Ephori*—and in other countries a third body under different names, the power rested chiefly in one of the two leading bodies—the head, or the assembly,—and whenever cause of difference sprang up to try the strength of the confederacy, its cohesive power failed.

The incomparable value and strength of the American confederacy, is found in the wise distribution of all its powers,—not only in the form of the national legislature, but in the operation of the power by which this body is to be perpetuated. Every state sovereignty is but a miniature of the national, as perfectly adjusted in its legislative system, and also in the method of the renewing power. Its crowning glory is its moral strength, which binds all parts together—the strongest and most delicate machinery—thus guarding it against foes without, or enemies within.

“If we compare every constitution of ancient and modern times, with that of the United States of America,” said the elder Adams, “we shall have no reason to blush for our country; on the contrary, we shall feel the strongest motives to fall upon our knees, in gratitude to heaven, for having been graciously pleased to give us birth and education in this country, and for having destined us to live under her laws. Our people are sovereign,—all property is in the hands of the citizens,—there are no hereditary titles, offices, or distinctions,—the legislative, executive, and judicial powers, are carefully separated, and all nicely balanced,—trials by jury are preserved in all their glory,—there is no standing army,—the habeas corpus is in full force,—the press the most free in the world; and when all these are combined, it is unnecessary to add that the laws alone can govern.”

Such is our elevated and glorious position, compared with other systems,—one which makes us responsible to our posterity, to the world, and to the Ruler of nations. It is a system worthy of our fathers who framed it—those great and pure men of our infant republic. They ascended the holy mountain, and amidst “fire and smoke,” received the tables of law for the nations that should follow them. As that law to the Hebrew father, it comes to each and all of us with the same solemn and binding duty, the same sacred right to preserve it as a pattern of law to the world, and to transmit it untarnished to our posterity. This is our position, and this our solemn mission.

The crisis has come for the trial of our fidelity. The time is

at hand when at the seat of our sovereignty—the ballot-box—we are to say whether or not, in view of her recent struggles for freedom, we will continue the bright example of republican government to Europe,—when we are to say whether or not a vast territory, just added to our limits, shall be the soil of freedom or slavery. In the double light then of late foreign events, and of our example, as a model of government to the world, the question of free soil becomes one of the most important of the present time. In this light each voter is to decide at the coming election of Chief Magistrate, whether the balance of power in our National Councils shall, or shall not, be held by slave representation. He is to decide whether he will, or will not, vote for a President of this Confederacy, who will veto a law which prohibits the extension of slavery; he is to decide whether, by his vote, he will open 366 millions of acres of its soil to be colonized by slaves.

In one country only in the world, except the United States of America, are slaves held as goods and chattels.\* In all others where it exists, it is by a different law. In the view of our fathers, slavery was the cancer sore of our infancy. We have become the model republic of the world, under a system of treatment designed by them to prevent its extension, and finally to eradicate it from the body politic. But we have relaxed the treatment of our fathers; we have softened the severity of the disease, while it has silently and gradually extended, till it now mars the beauty and weakens the strength of more than half of this noblest and greatest of human productions. The question is not one to be drawn within party lines or issues. It extends over and beyond all these to the character and purity of this model, which has so exalted us. It is not which political party of the country has heretofore to the greatest extent fostered or opposed the slave interest; it is not a question of mere expediency as to which party shall triumph, merely as a party. These are differences beneath the character of freemen, when an issue infinitely above them all demands their candid and earnest action. A crisis has arisen which sets entirely aside the old expediency doctrine of party politics. It is not the dissolution of the Union; it is not a crusade against the present interest or future prosperity of the South. The thinking, sober, moral men of the South are, in sentiment and feeling, already on the high ground of right. It is one which involves *two great moral points*, that go home to the heart, not of Whig or Democrat, or any other political order, but to every American. In fifteen of thirty states, and in nine-fourteenths of the territory of these states, we now have slavery. We have just added, by New Mexico and California, one-sixth to our domain. If we plant it here, slavery then covers the largest part

\* See Webster's speech in the U. S. Senate, at the close of this pamphlet.

of the soil of America. And these great moral points are, first, *Shall we, in view of these struggles of all Europe, with our model before them, renounce the doctrine of our fathers, and the sentiment of the civilized world, that slavery is an evil, and for ever after call it a blessing? and secondly, Shall we yield, not to the South, but to political leaders and partisans, of both the North and South, who are striving for power and ascendancy, at any cost, and make slavery not only co-extensive with our existence as a republic, but create, by slave representation, the sources of that sectional power and interest which destroyed all the republics of ancient time?*

We have stated two classes of facts. First, the deeply interesting facts of the late revolutions in Europe; and secondly, the peculiar facts of our own condition as a confederacy. The first, the millions of this country have eagerly sought and studied, for many months past, on the arrival of every steamer or vessel which has crossed the Atlantic. The success of these reforms and these revolutions the people of America were the first to hail with enthusiasm; our government the first among the nations of the world to acknowledge and to extend the hand of fellowship to the embryo republic established on the ruins of monarchy. The facts of our confederacy, as well as the whole history of that compact, the people of this country cherish as the dearest associations in their life. It is in the light of these that we ask them to consider the two great moral points we have suggested, and their duty at the ballot box.

But there is a third and still more important class of facts.

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## CHAPTER II.

EARLY LEGISLATION ON SLAVERY—CONGRESSES OF 1774, '84, '87—  
PRESENT CONDITION OF THE U. S.—POSITION OF J. C. CALHOUN  
AND GEN. CASS.

What is the duty of the United States, in the second place, in view of her relation to herself formerly? Then, she was just girding herself for the momentous and trying experiment of self-government. Yet on this question of the extension of slavery to territory already free, and on the subject of slavery itself, her great men, in the slave as well as free states, were of one mind. We have their opinion in the covenant of the first Congress which assembled on the continent, in 1774,—in the declaration of 1776,—in the ordinances of 1784 and 1787,—and finally in

the language of the constitution itself. The old men of the Revolution were opposed, in their very nature, to every form of oppression. This great epoch, says an able writer, "was the inevitable result of a long train of causes, all conspiring to make men impatient of oppression. It was a necessary battle in the progress of the great conflict between Despotism and Freedom, between the Aristocratic and the Democratic principle.

"Our fathers so regarded it. They claimed for themselves no new or peculiar rights; they only demanded security in the enjoyment of those rights to which, as descendants of Englishmen, they were entitled under the Great Charter; to which, as men, they were entitled under the grant of their Creator. They asserted the equal right of all men to the immunities which they claimed for themselves. It was impossible that they should not see and feel the gross inconsistency of the practice of slaveholding with their avowed political faith. The writings of the Revolutionary period afford the amplest evidence that they did perceive and feel it. But slavery was already in the country, interwoven with domestic habits, pecuniary interest, and legal rights. It existed under the sanction of the laws of the several colonies, beyond the reach of the direct legislation of Congress. The consequences of an immediate enfranchisement of the enslaved, were, also, generally dreaded. Our fathers, therefore, confined themselves to general declarations of the great doctrine of equal rights, which lie at the basis of all just government; and without directly interfering with the legislation of any particular member of the confederacy, endeavored to establish the national government and policy upon such principles as would bring about, at length, the desired result of Universal freedom."

That band of exiles who first sought a home in the wilderness of this continent, were as distinguished for their piety and justice as for their love of liberty; and so also were their descendants. This was manifest, at every step in their progress, through a series of struggles and privations unequalled in the annals of history. From the first domestic compact, to the Declaration of Independence, the confederation, and to the Union of the States by the constitution, the union of civil and religious liberty, in opposition to every form of despotism, was the object which they pursued, and held with the tenacity of life. It was eminently the spirit of the earlier colonies—of the Virginia in 1606 and the Plymouth in 1620. On the 11th of November, 1620, the latter of these humble but fearless adventurers drew up, and signed the following compact:—

"Having undertaken for the glory of God, and the advancement of the Christian faith, and the honor of our king and country, a voyage to plant the first colony in the northern part of Virginia,\* we do by these presents solemnly and mutually, in the

\* The country had then received no other name.



presence of God and of one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid. And by virtue hereof do enact, constitute and frame such just and equal laws, ordinances, acts, constitutions, and offices, from time to time as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience."

In these colonies and their offshoots, and in general, in those afterwards founded by emigration from England, the common law of England was the basis of their jurisprudence, while in their municipal regulations and intercourse with each other, they maintained the authority and universal obligation of the mosaic institutes.

But this was the whole of that simple yet powerful compact of this embryo nation of forty-one souls. The spirit of this compact was the mighty chain which bound our fathers in the cradle of independence; it was the spirit of Washington, of Sherman, of Witherspoon, Rush, Ellery, and Chase, of the Adamses, and all that bright constellation, who pledged their lives and fortunes to secure this object. It made the illustrious Congresses of 1774, '76, '78, '84 and '87, a band of Christian brothers, whose aims and ends were their "*Country's* and their *God's*." As lawgivers it placed them immeasurably above Lyeurgus or Romulus, and disclosed in these great labors that stern justice which run through the net-work of their lives.

The spirit and conduct of Parliament was far otherwise. Through the long period of more than a century and a half, in which the territory of the thirteen original states was ceded by grant or charter, and formed into States and Provinces; the erection of the Massachusetts Bay Colony,\* in 1628; New Hamp-

\* *Virginia*—Ceded, by James I, 1606, to Sir Thomas Gates.

*Plymouth*—Charter from James I, 1620, to William Bradford and others.

*Governor and Company of Massachusetts Bay*—From King Charles, 1628. The General Court in its address to Parliament, in 1646, declared, that their government was framed according to their charter, and the common laws of England, and carried on according to the same, ("taking the words of eternal truth and righteousness along them," they added, "as that rule, by which all kingdoms and jurisdictions must give account in the last day.")

*New Hampshire*—From Council of Plymouth, 1629, to Capt. John Mason.

*Maine*—The Crown, 1639, to Sir Ferdinand Gorges, all lands between the Piscataquis and Kennebec.

*Connecticut*—Charter by Charles II, 1662, united with Massachusetts colony, 1665.

*Rhode Island*—By Parliament, 1644, to Roger Williams.

*Maryland*—King Charles I, 1632, to Cecilius Calvert, called Maryland in honor of his queen Henrietta Maria.

*New-York, New Jersey*—Charles II, 1664, to his brother, Duke of York and Albany.

*Pennsylvania*—Charles II, 1681, to Wm. Penn—government established in 1783.

*Delaware*—Purchased by Penn, in 1682.

*Carolinas*—Charles II, 1663, to Lord Clarendon and others.

*Georgia*—George II, 1732, to Lord Percival and others.

shire Province, in 1629; Maryland in 1632; Rhode Island in 1644; the Carolinas and Connecticut in 1662; New York and New Jersey in 1664; Pennsylvania and Delaware in 1681-2; and Georgia in 1732, to the provisional treaty of 1782, it was the constant aim of the British Parliament, although it afforded them no aid or protection, to hold these colonies in tribute to the crown. It enacted a series of the most oppressive acts. It claimed the right to bind them by statutes, in all cases whatsoever; it imposed taxes for revenue; it extended the jurisdiction of English courts of Admiralty, not only to collect these duties, but to try local causes; it revived a most odious law of Henry VIII, by which colonists were to be transported for trial on alleged treason, or other crimes; it deprived them of trial by jury; it blocked up harbors, and prohibited the landing of goods from foreign countries; it kept up standing armies in the several colonies in time of peace, and dissolved the assemblies of the people which attempted to deliberate on their grievances. These were some of the acts of oppression, which brought together delegates from all the colonies, and formed the memorable Congress of September 5th, 1774, the first which ever sat in America.

In this body were George Washington, Roger Sherman, John Jay, Samuel and John Adams, Patrick Henry, Richard Henry Lee, Philip and William Livingston, John and Edward Rutledge, Peyton Randolph, and forty-one other kindred spirits. After several weeks' discussion, in view of their grievances, they entered into a solemn compact of non-importation, and non-consumption of all British goods. The preamble to this compact read as follows:—

"To obtain this redress, we firmly agree and associate, ourselves and the colonies we represent, under the sacred ties of virtue, honor, and love of our country, &c.

"1st. That after the 1st of December next, we will not import into British America, from Great Britain or Ireland, or other British ports, any goods, wares, or merchandise, &c.

"2d. *We will neither import nor purchase any slave imported, after the 1st day of December next; after which time we will wholly discontinue the slave trade, and neither be concerned in it ourselves, nor will we hire our vessels, or sell our commodities, or manufactures, to those who may be concerned in it.*

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"8th. We will discourage and discountenance every species of extravagance and dissipation; all horse-racing, gaming, cock-fighting, shows, plays, and other expensive diversions and entertainments."

It covenanted also to take no unjust advantage in trade, by speculation or otherwise. It contained nine articles, which were approved and signed by all the members. There was in that patriot body, on all questions, domestic or national, but one interest, and one object.

At the age of 32, Mr. Jefferson drew the Declaration of Independence. In the original draft occurred the following thrilling indictment against the British king:—

"He has waged cruel war against *human nature itself*, violating its most sacred rights of life and liberty in the persons of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This *piratical* warfare, the *opprobrium* of INFIDEL powers, is the warfare of the CHRISTIAN king of Great Britain. Determined to keep open a market where MEN should be *bought and sold*, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this *execrable* commerce. And that this assemblage of horrors might want no fact of distinguished dye, he is now exciting those *very* people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people on *whom* he also obtruded them. Thus paying off former crimes committed against the liberties of one people, with crimes which he urges them to commit against the lives of another."

And although this passage was stricken out, in courtesy to South Carolina and Georgia, as adopted, the Declaration contained high and broad principles of justice, that covered all the ground to which this memorable charge was directed.

"We hold these truths to be self-evident: that all men are created equal,—that they are endowed by their Creator with certain inalienable rights,—that among these are life, liberty, and the pursuit of happiness." "In these words," says the writer to whom we have already referred, "for the first time in the history of the world, was the doctrine of the inalienable RIGHT of every man to life, liberty, and the pursuit of happiness, solemnly proclaimed AS THE BASIS OF A NATIONAL POLITICAL FAITH. This Declaration pledged its authors, and the nation which made it its own, by adoption, to eternal hostility to every form of despotism and oppression. With this declaration inscribed upon their banners, they went into the war of the Revolution, invoking the attestation of 'the Supreme Judge of the world' to the rectitude of their purposes."

After a long and glorious contest of eight years, in which the same spirit of self-denial, the same sacred union in the cause of justice and liberty, was manifest both in the state and national councils, a provisional treaty was concluded in 1782, and definitively in '83, by which the crown of Great Britain relinquished for ever all claim to the country. The spirit of the great men of '74, was preserved in all its purity and energy by their successors to the end of the struggle. Many even of that noble body of '74, were still active and in the councils of '84; and when the question of the government of a newly acquired territory came before

them, there existed the same opposition to all oppression and slavery.

When five years of the war had elapsed the country was already oppressed with a heavy debt. Its finances became a subject of much anxiety. So critical were they, that any unfortunate turn of affairs threatened deplorable consequences. This burden added to a cruel war harmonized and cemented all parts of the body politic. In respect both to the object and the end of the war their action was more like endeared and kindred families sustaining the pressure of a common calamity than as formal and soulless sovereignties. In this crisis, Congress by act of 6th September, 1780, recommended to all the states, which held unappropriated lands in the western country, a liberal cession for the benefit of the Union. Virginia laid claim to all lands west of the Ohio River, and by act of her Legislature, January 2d, 1781, she promptly and liberally ceded all this territory. To this act of cession there were the conditions;—1st. That this territory should be divided into distinct Republican States, not more than 150 miles square, to be admitted as members of the Federal Union; that Virginia should be reimbursed for all her expenses in reducing British Posts in this territory, &c.;—2d. That the French and Canadian inhabitants already settled should be protected in their rights and liberties from all encroachments. There were five other conditions immaterial to the thread of these events. On the 13th September, 1783, Congress, with slight alterations, accepted these conditions. It looked to this resource and felt its need in aid of the discharge of the national debt.

In October of the same year, Virginia passed an act authorizing her delegates in Congress to cede this territory. These were Thomas Jefferson, Samuel Hardy, Arthur Lee and James Monroe. They executed, sealed and delivered the deed, and it was recorded as an Act of Congress, March 1st, 1784.

In the same session it was found necessary to provide for it a temporary government. It was now out of the jurisdiction of Virginia, and Thomas Jefferson, of Va., Samuel Chase, of Md., and Mr. Howell, of R. I., were appointed a committee to report a plan of government. To learn the feelings and opinions of the statesmen of the slaveholding States on the subject of slavery, not only while aiding in the work of founding this Republic, but since then, we have but to note with what unanimity they have supported the principle of the ordinance of 1787, from this Congress down through all the period in which it was repeatedly before the country. Here were two men from slave territory. In the ordinance as reported by Jefferson, and we may conclude sanctioned by Mr. Chase, was the following provision:—

“That, after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the said states, otherwise than in punishment

of crimes, whereof the party shall have been convicted to have been personally guilty."

The vote on the question of its adoption was as follows :

<i>New Hampshire</i> , . . . . .	{ Mr. Foster, . . . . .	aye	{	aye
	{ " Blanchard, . . . . .	aye	{	
<i>Massachusetts</i> , . . . . .	{ Mr. Gerry, . . . . .	aye	{	aye
	{ " Partridge, . . . . .	aye	{	
<i>Rhode Island</i> , . . . . .	{ Mr. Ellery, . . . . .	aye	{	aye
	{ " Howell, . . . . .	aye	{	
<i>Connecticut</i> , . . . . .	{ Mr. Sherman, . . . . .	aye	{	aye
	{ " Wadsworth, . . . . .	aye	{	
<i>New-York</i> , . . . . .	{ Mr. De Witt, . . . . .	aye	{	aye
	{ " Paine, . . . . .	aye	{	
<i>New Jersey</i> , . . . . .	{ Mr. Dick, . . . . .	aye	{	
	{ Mr. Miffin, . . . . .	aye	{	
<i>Pennsylvania</i> , . . . . .	{ " Montgomery, . . . . .	aye	{	aye
	{ " Hand, . . . . .	aye	{	
<i>Maryland</i> , . . . . .	{ Mr. McHenry, . . . . .	no	{	no
	{ " Stone, . . . . .	no	{	
<i>Virginia</i> , . . . . .	{ Mr. Jefferson, . . . . .	aye	{	
	{ " Hardy, . . . . .	no	{	no
	{ " Mercer, . . . . .	no	{	
<i>North Carolina</i> , . . . . .	{ Mr. Williamson, . . . . .	aye	{	divided
	{ " Spaight, . . . . .	no	{	
<i>South Carolina</i> , . . . . .	{ Mr. Read, . . . . .	no	{	no
	{ " Beresford, . . . . .	no	{	

We have here the strong vote of 16 ayes to 7 noes. Although a large majority of the numerical votes in its favor, the prohibition was not carried. This resulted from the rules under which Congress then voted.

By the Articles of Confederation between the thirteen States, ratified, July 9th, '78, each State could cast but one vote. If the majority or all of a delegation were absent, or the delegation equally divided the vote was lost ; still more, by this confederation, there were eleven specific subjects, on which Congress could not decide without the assent of nine States. The making of treaties being one, the rule has been said to include this ordinance. On the contrary, this rule had reference simply to foreign treaties, not to domestic. The error arose from the fact that new States were to be formed out of this territory, and the closing article of the ordinance provided "That the preceding articles shall form a charter or compact between the original States and the new States."

By this misconstruction it is said, that had the question of its final adoption (the slavery clause included) been proposed, it would have required the assent of nine States, otherwise it might have been carried by the Congress of '84. But this is not so.

It having been moved to strike out this clause, the form of the question was, "Shall it stand?" To preserve it at this stage, a majority, or one vote more only, was required. Had New Jersey been adequately represented, the prohibition would have been sustained and the ordinance carried.

And who were these men who supported this prohibition of slavery at this early day?

If we include Mr. Chase, there were five at least,—JEFFERSON, SHERMAN, GERRY, ELLERY and CHASE—who signed the Declaration of Independence; three—GERRY, ELLERY and SHERMAN—in the Congress which formed the old confederation; and four—GERRY, SHERMAN, MIFFLIN, of Pa., and WILLIAMSON, of N. C.—in that illustrious body which framed the Constitution. No men in the nation had studied more profoundly the great problem it was attempting to solve; no men could see more clearly the important bearing of this measure on the future, and of none who had ever lived was the patriotism more pure and incorruptible.

In connection with the character of these men and their action on this ordinance, one most important fact should be noticed. The ordinance, as here reported by Mr. Jefferson,—referred simply to the territory north-west of the Ohio; yet in spirit aimed at the restriction of slavery in America, for all time to come, within the bounds which then girded it. It looked to the north-west territory, and all other, then belonging to the thirteen States, or which should afterwards come into the Union, on the north, the west, or south. It aimed at the establishment of a principle, which would have consecrated to freedom the nine slave States since added to the Union. This is a most significant and weighty fact, in contrasting the position and character of these men with some of the statesmen of this day. There is no comparison; the contrast, if contrast may be made, is between pure and lofty aims for the ultimate good and strength of the Union, on the one hand, and selfishness and low ambition on the other; between mutual concessions and the advance, at any sacrifice of personal or sectional interest, to a more perfect civilization, and a retrograde to the principles of barbarism.

The ordinance of 1784, without the Jefferson proviso, was found inadequate to the wants of this territory. The Congress which framed the memorable ordinance of 1787, and the Convention which framed the Constitution of the United States, were both holding sessions at the same time. Many of the members of this Congress were also members of the Convention, representing their States in both bodies at the same time. Early in the session, the report of a committee on the north-western territory was referred to a special committee of five—Messrs. R. H. Lee and Carrington, of Va., Mr. Kean, of S. C., Mr. Smith, of N. Y., and Mr. Dane, of Mass. The majority of this committee, it will be seen, were from slave States, and they reported that notable ordinance, so obnoxious to some of the statesmen of our day. There was no motion to strike out the slavery prohibition, and the vote, following the ordinance, as we quote it, will show with what unanimity it received the sanction of that body.

The first clause of this ordinance of '87, defines the jurisdiction of the government established. The second is an act of direct legislation upon the persons and property of the territory, and is remarkable for the fullness with which it assumes that government of private rights and interests which in the States belong to their legislatures, but which in the territories has been exercised by Congress, either directly, or through the acts of territorial legislature expressly subject to the review and reversal of Congress. It regulates *first*, the descents of property; *secondly*, dower; *thirdly*, wills; and *fourthly*, conveyances of real and personal estates. The third clause, which is the larger part of the instrument, organized the territorial government. The fourth was in the nature of a fundamental law, declaring the principles on which the government should be founded, and the rights of the persons on whom that government should operate. We quote its preamble, and some of its more important articles:

"And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected: to fix and establish those principles as the basis of all laws, constitutions and governments, which for ever hereafter shall be formed in the said territory; to provide also for the establishment of states and permanent government therein, and for their admission to a share in the federal councils, on an equal footing with the original states, at as early periods as may be consistent with the general interest.

*It is hereby ordered and ordained by the authority aforesaid,* That the following articles shall be considered as articles of compact between the original states and the people and states in the said territory, and for ever remain unalterable, unless by common consent, to wit:

ART. 1st. No person, demeaning himself in a peaceable manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territories.

ART. 2d. The inhabitants of the said territory shall always be entitled to the benefit of the writ of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident, or the presumption great.

All fines shall be moderate, and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, *bona fide*, and without fraud previously proved.

ART. 3d. Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools, and the means of education, shall for ever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights and liberty, they shall never be invaded or disturbed, unless in just and lawful wars, authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving friendship with them.

\* \* \* \* \*

ART. 6th. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: *Provided always*, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

Massachusetts, . . . . .	{ Mr. Holton, . . . . . aye }	aye
	{ " Dane, . . . . . aye }	
New-York, . . . . .	{ Mr. Smith, . . . . . aye }	aye
	{ " Haring, . . . . . aye }	
	{ " Yates, . . . . . no }	
New Jersey, . . . . .	{ Mr. Clark, . . . . . aye }	aye
	{ " Schourman, . . . . . aye }	
Delaware, . . . . .	{ Mr. Kearny, . . . . . aye }	aye
	{ " Mitchell, . . . . . aye }	
Virginia, . . . . .	{ Mr. Grayson, . . . . . aye }	aye
	{ " R. H. Lee, . . . . . aye }	
	{ " Carrington, . . . . . aye }	
North Carolina, . . . . .	{ Mr. Blount, . . . . . aye }	aye
	{ " Hawkins, . . . . . aye }	
South Carolina, . . . . .	{ Mr. Kean, . . . . . aye }	aye
	{ " Huger, . . . . . aye }	
Georgia, . . . . .	{ Mr. Few, . . . . . aye }	aye
	{ " Pierce, . . . . . aye }	

Five States were absent. Maryland, Connecticut, R. I. Pa. and N. H.—all of which, had they been present, would no doubt have approved it.

That the convention for framing a Constitution was then in session, was a sufficient reason why so small a number voted on the question. William Blount, of North Carolina, and William Few and William Pearce, of Georgia, whose names are here recorded in favor of the ordinance, were members of the convention. John Langdon and Nicholas Gilman, of New Hampshire, Rufus King and Nathaniel Gorham, of Massachusetts, William Samuel Johnson, of Connecticut, John Lansing, of New York, James Wilson, of Pennsylvania, James Madison, of Virginia, Pierce Butler and Charles Pinkney, of South Carolina, and William Houston, of Georgia, were also members of both bodies, but were always in attendance on the convention. It thus appears that fourteen of the members of the Congress of 1787, or nearly one-half of the largest number ever present in the Congress of the confederation, were also members of the convention.

Of these eleven members of the Congress of 1787, who were absent, and acting in the Convention at the moment the ordinance was adopted, six were afterwards members of the first Congress under the Constitution, and all voted for the act which recognized this ordinance, modifying and adapting it to the Constitution, yet with the slavery prohibition in full force. These were Langdon, King, Johnson, and Butler, members of the first Senate, and Madison and Gilman, of the first House of Representatives. Of the remaining five, James Wilson was both one of the galaxy of '76,



and of the Congress of '74, which had already spoken so emphatically on the subject of slavery. As framers of the Constitution, Charles Pinckney, and Pierce Butler of S. C. assented to and Nathaniel Gorham, of Massachusetts, was not less decided in favor of restriction. We have then all, or nearly all, of the illustrious men, who were members of both bodies, in various ways giving their votes for the principle of this ordinance.

If we pass from the action of the Congress of '87, to that of the framers of the Constitution, we find that these patriots, many of whom had signed the solemn covenant of '74, and the memorable instrument of '78, did not by their action violate these pledges to the country. They did not, by a single act, establish or sanction the principle of slavery, much less its extension. Their object was, plainly, to sever the national government from all connection with it as it existed; and while leaving it as it was, to the local law, to provide against its further extension, by reserving the power in the national government to acquire, to hold and govern new territory, and to admit new states into the union.

The old confederation had existed nine years. It contained the germ and the material principles of the Constitution, as it was adopted, and now exists. In many important powers, however, this confederation was wholly inadequate to the wants of the States. This convention, the delegates to which had been chosen by the people and the Legislatures of the several States, assembled on the 14th of May, 1787. Considering its numbers, it was the most distinguished and able body which ever assembled on the Continent. Here were the men of '74, '76, and '78—the sages of the first era gathered together with all the great men of the second, whom the fiery trials of thirteen years had brought before the public. Here were Washington, Madison, Hamilton, Franklin, Sherman, Gerry, Wilson, Wythe, Randolph, and Mason, with Gilman, Johnson, Ellsworth, Yates, Patterson, Livingston, Rutledge, the Morrisises and Pinckneys.

Mr. Randolph presented fifteen resolutions. These, with nineteen reported by a special committee, were elaborated by the convention to twenty-three. These twenty-three resolutions (the basis of a Constitution) were then, with a plan of a similar instrument by Mr. Pinckney, and propositions by William Patterson, referred to a committee of detail. This committee consisted of Messrs. Rutledge, Randolph, Gorham, Ellsworth, and Wilson. On the 6th of August they reported a draft, embracing twenty-three articles. These articles were discussed, section by section, till the 17th of September, when this draft of a Constitution was revised as to its style, arranged in seven articles, adopted and signed by the members.

In the draft, as reported by the committee of five, the 4th section of the 7th Article read as follows:—*Sect. 4. "No tax or duty*

*shall be laid by the Legislature on articles exported from any State; nor on the migration or importation of such persons as the several States shall think proper to admit; nor shall such migration or importation be prohibited."*

It was moved, (the question being on the passage of this section,) to insert in the first clause after "duty," *for the purpose of revenue*. This was not carried,—New Jersey, Pennsylvania, and Delaware, voting in the affirmative. A motion was also lost to insert "*unless by consent of two-thirds of the Legislature.*" It was then moved to insert the word "*free*" before "persons," in the second clause of the section.

This motion, however, was withdrawn, and the whole section referred to a "grand" committee of eleven. This committee consisted of Messrs. Baldwin, of Ga., Charles C. Pinckney, of S. C., James Madison, of Virginia, Luther Martin, of Md., Dickinson, of Delaware, Clymer, of Pennsylvania, Livingston, of N. J., Johnson, of Connecticut, Rufus King, of Mass., and Langdon, of N. H. In a few days they reported in lieu of this an entirely new section. It prohibited the importation of slaves after the year 1800, and levied a tax on them prior to that period, equivalent to the rate of existing impost duties.

This was amended, passed in the following form, and now makes Sect. 9, Art. 1, of the Constitution. Maryland, North Carolina, South Carolina, and Georgia, all voted in the affirmative.

*"Sect. 9. The migration or importation of such persons as the several states now existing shall think proper to admit, shall not be prohibited by the Congress prior to 1808; but a tax or duty may be imposed on such importation, not exceeding \$10 for each person."*

The history of this section, it will be seen, discloses three distinct movements, all bearing directly on the ultimate restriction of the boundary and growth of slavery, if not looking to its entire extinction.

1st. As the section was originally reported, it not only licensed importation but forever forbid a tax on it. The addition of the words "*for the purpose of revenue*" implied that for some *other purpose*—to check its increase, or to make it less prosperous—they would reserve the power to tax it.

2d. This failing, the second movement was to prohibit a tax *only on free persons*, reserving the power to tax *all slaves* which should be imported.

3d. The last was successful, and contemplated an entire prohibition of importation after the year 1808, and a heavy tax which should restrict it prior to that period. This principle, moreover, was sanctioned by the strongest slaveholding states. If we pass on to the first Congress under the Constitution, its action is of the same tenor. On the 14th of July, 1789, a committee was appointed by

the House of Representatives, which shortly after reported a bill entitled,

"An act to provide for the government of the territory northwest of the Ohio."

The preamble recites:

"Whereas, in order that the ordinance of the United States in Congress assembled, for the government of the territory northwest of the river Ohio, may continue to have full effect, it is required that certain provisions should be made, so as to adapt the same to the present Constitution of the United States. Be it enacted," &c.

Of the representatives of this Congress, there were nine distinguished men, who had been members of the Convention: Madison, Sherman, Baldwin, Gerry, Gilman, Clymer, Fitzsimmons, Carroll, and Jennifer. Of the Senate were eleven who had been in the same body: Butler, of S. C., Few, of Georgia, Johnson, Langdon, Ellsworth, King, Morris, Read, Strong, Patterson, and Bassett. The bill passed both houses, without a dissent from any one of these twenty members who had been also members of the convention, or the slightest opposition from any quarter, and stands on the statute book as the eighth act passed under the new Constitution. It was officially approved by George Washington, who, as well as two of his cabinet advisers, Hamilton and Randolph, had been also members of the convention.

Here were *twenty-three*, and in all there were not less thirty members of this bright galaxy of patriots that framed the constitution, who in various forms of official action gave their sanction to the ordinance of '87.

"Not only was the ordinance of '87," says an able article in the New York Evening Post, "with all its provisions, including that against slavery, solemnly applied to the territory of Ohio, in the act of organizing its government under the constitution, and by the very framers of that instrument, but this policy was subsequently carried much farther. In the act passed April 30, 1802, to enable the people of Ohio 'to form a constitution and state government, and for the admission of such state into the Union, on equal terms with the original states,' the validity of the ordinance is recognized, and conformity to it, even in the state constitution and government, exacted, in these words: 'and shall form for the people of the said state, a constitution and state government, *provided* the same shall be republican, and *not repugnant to the ordinance* of the thirteenth of July, one thousand eight hundred and eighty-seven, between the original states, and the people and states of the territory northwest of the river Ohio.'

"The bill containing this solemn recognition of the validity of the ordinance was framed and reported by a committee of the

House, of which William B. Giles, of Virginia, then the leader of the republicans and of the supporters of Mr. Jefferson in that body, was chairman, and of which Robert Williams, of North Carolina, and John Rutledge, of South Carolina, were also members. It passed the House by a vote of forty-seven ayes to twenty-nine noes; the members from the south and the republicans generally voting in its favor. In the Senate it was referred to a committee, of which Mr. Franklin, of North Carolina, was chairman, and with Mr. Brown, of Kentucky, and Abraham Baldwin, of Georgia, who had been a member of the Federal convention, composed a majority. It passed the Senate by a vote of sixteen to five. The ayes were, Baldwin, of Georgia, Bradley, of Vermont; Brackenridge and Brown, of Kentucky; Clinton, of New York; Ellery and T. Foster, of Rhode Island; Franklin, of North Carolina; Jackson, of Georgia; Logan, of Pennsylvania; S. T. Mason and Nicholas, of Virginia; Stone, of North Carolina; Sumpter, of South Carolina; and Wright, of Maryland. The noes were, D. Foster, of Massachusetts; Howard, of Maryland; Morris, of New York; Olcott, of New Hampshire; and Tracy, of Connecticut. Thomas Jefferson, one of whose cabinet advisers was James Madison, officially approved the bill.

"It should also be remembered that the ordinance was applied to a region, in the settled portion of which slavery existed to some extent; and that, notwithstanding the remonstrances of individuals, whose slaves were to be freed by its operation, the Congress, under the Constitution, adhered to it with pertinacious firmness. A petition was presented to the House of Representatives, in 1796, of certain individuals of the counties of St. Clair and Randolph, alleging that the provisions of the ordinance that 'there shall be neither slavery nor involuntary servitude, except in punishment of crime,' was contrary to the engagements of Col. Clark on his taking possession of the country in the name of the State of Virginia, and contrary to the express fundamental law of all free countries, that no *ex post facto* laws should ever be made; that *"the petitioners then were and now are possessed of a number of slaves, which the article above recited seems to deprive them of (perhaps inadvertently) without their consent or concurrence;* that labor in that region was extremely dear and scarce; that they have no desire to increase the number of slaves already in the dominions of the United States; but ask for permission to introduce them from other States, under regulations giving their services during life, and fixing a period of service for their children; and claiming that such a measure may in a great degree be the means of attaining that object so much wished for by some—the 'gradual abolition of slavery.' On the 12th of May the committee reported adversely, and the petition received no further countenance."

It further says: "The validity and authority of the ordinance was again solemnly recognized by Congress in 'An act to enable the people of the Indiana Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States,' which imposed conformity to it as a condition to the authority conferred to 'form for the people of the said territory a constitution and State government: *provided*, that the same, whenever formed, shall be republican, and *not repugnant to the articles of the ordinance* of the thirteenth July, one thousand seven hundred and eighty-seven, *which are declared to be irrevocable* between the original States and the people and States of the territory north-west of the river Ohio; except as to boundaries.'"

This act passed the House by a vote of 108 ayes to 3 noes; and the Senate without a division; and was, on the 19th of April, 1816, officially approved by James Madison.

The ordinance was again recognized by the resolution of admission, which passed in December, 1816, without a division in either House.

Whereas, in pursuance of an act of Congress, passed on the nineteenth day of April, one thousand eight hundred and sixteen, entitled "An act to enable the people of Indiana territory to form a constitution and State government, and for the admission of that State into the Union," the people of the said territory did, on the twenty-ninth day of June, in the present year, by a convention formed for that purpose, form for themselves a constitution and State government, which constitution and State government, so formed, is republican, *and in accordance with the principles of the articles of compact* between the original States and the people and States in the territory north-west of the river Ohio, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven.

Resolved, That the State of Indiana shall be one, and is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever."

Such is a brief outline of our history as an infant Republic, touching the subject of slavery. From '74 to the organization under the Constitution; at every step through this rugged and stormy period, the action of its founders aimed ever to modify the severity, to restrict the boundary, and eventually to work out the extinction of slavery. These forefathers were illustrious for their piety, wisdom and fortitude. They guided the feeble colonies. And when the trial came, they, with their descendants, resting humbly on the arm of the God of heaven, together fought the battles of the Revolution, and, with devout solicitude, framed for us, their children, a simple and glorious Constitution. *Eternal*

*right and justice to man* were the cementing principles. At the judgment-bar of nations, he, who led that army and presided in these councils, is the greatest among statesmen. He was great in war, in civil council, and in private life; but more than all, and above all, he was great for his simplicity and unfailing sense of justice. By the *unanimous* voice of these patriots he was made chief of the army. He appeared before them, declaring with that simplicity which is ever the first element of true greatness, that he felt distressed from his consciousness of inability and want of experience. "Lest some unlucky event should happen," he continued, "unfavorable to my reputation, I beg it may be remembered, by every gentleman in the room, that *I this day declare, with the utmost sincerity, I do not think myself equal to the command I am honored with.*

"As to pay, sir, I beg leave to assure the Congress, that as no pecuniary consideration could have tempted me to accept this arduous employment, at the expense of my domestic ease and happiness, I do not wish to make any profit from it; *I will keep an exact account of my expenses. These I doubt not they will discharge. That is all I desire.*" Such was George Washington. He saw the great experiment of self-government successful. He beheld with prophetic eye the future greatness of America, and from the first to the last of his career in directing these momentous affairs, he looked constantly to the restriction, and finally to the entire extinction, of slavery. "*I never mean,*" he writes, "*unless some peculiar circumstances should compel me to it, to possess another slave by purchase; it being among my first wishes to see some plan adopted by which slavery in this country may be abolished by law.*" But we waive here the question of extinction; that which, as history most clearly shows, the fathers of the republic hoped for and expected. We leave it to the local law, as matter of state, not national sovereignty. We have now to meet a higher issue; one more immediately of deeper interest to America and to humanity. The principle of slavery is entirely incompatible with those of the revolution: the fact we would not disguise. But we leave it, as it is, under that great compromise of the Constitution, which made slavery a part of the basis of representation in our national councils. It was a concession of great and pure minds, but not less generous and noble hearts. Immutable right was not its basis; it was rather the necessities of brethren, and the bond of fraternal love compelled it. But the right was in the aims of the future, and around this concession, as a beam of light, they drew the line of eternal justice, and in the ordinance of '87 said, 'thus far shalt thou and no farther.' This position was unchanged, and this principle never falsified. The record is before us. We have traced it in the history of that sacred in-

strument which was the greatest monument of their wisdom, and in this coeval ordinance, which to the end of that generation received repeated and solemn sanctions.

What, now, is the manhood of America compared with its infancy? What, in a moral sense, its extraordinary position?

By the ordinance of '87 one-sixth of the states of the Union are made free territory. It then doubled the preponderance of the north over the south; it made it numerically twelve to six. This was the free and unanimous act of southern as well as northern statesmen. Through the perilous night of the 18th century, in savage and civilized warfare, we have moved steadily and rapidly onward to the broad daylight, and at length to the noontide of the 19th. The dawn brought peace and constitutional liberty; the meridian, to our own race, brings that completeness of civil and religious liberty enjoyed by no other nation of the earth. We have increased from three and a half to twenty millions of people. We have become an asylum for the oppressed of all nations. From the Lakes to the Gulf, from the Atlantic to the farthest prairies of the west, whatever the strife of party, the differences of states or sections of the Union, these have ever vanished like the morning mists of our mountains and valleys, in the golden brotherhood of the constitution. In violation of the pledge of our fathers, the north has again and again yielded to her brethren of the south, till its numerical preponderance is annihilated. In the fifty-eight years of our constitutional history we have added and given up nine states to slavery, till now, excluding from the estimate New Mexico or California, slavery has extended over five-ninths of two millions six hundred and twenty thousand square miles of our territory.

Can we go farther, we ask, and be worthy of our heritage? Can we yield more and not dishonor our noble ancestry? But more is required. The master spirit of all those leading minds which control the slave power has established the line of policy. He stands the Apostle of the South, not only in the defence, but for the indefinite extension of slavery. Following this statesman, the South now demand an *entire subversion* of the principles which a common ancestry poured out their blood to defend and establish. We are asked willingly, and if not, *forcibly*, to make ourselves parties to this extraordinary and paradoxical position. Such is his position and his demand. We ask now the freemen of the North to view these in the double aspect of his character and talents and their dangerous bearing on the general cause of freedom and civilization. Almost a son\* of the revolution; one, whose *alma mater*, † of all others on the Continent of America,

\* John C. Calhoun was born, March 18th, 1782. Two maternal uncles killed in the Revolution.

† Graduated at Yale College, in 1804. Representative and Senator in Congress. Seven years Secretary of War. Secretary of State and Vice President.

has given the brightest host to the cause of civil and religious freedom; one, whose locks have whitened in the service of his country,—who has passed through all its important posts of honor save the highest,—whose private life has been little less than Spartan for simplicity and purity; a great mind, which can trace principles to their causes and make profound and intricate questions luminous with its genius, in the light of the struggles of all Europe for freedom, and in the light of our own most thrilling history stands on the highest question of humanity against the judgment of the civilized world.

But are the north to be dazzled by the mere light of genius? Are they to be made to admire the Spartan model, its chivalry and severe *regime*, while they forget that the moral sentiment which makes *all races* of men equal before just laws, is one of the most essential elements of true greatness in the statesman? With this model before us, can we lose sight of the first maxim of the Spartans, that one class were born to rule—to make laws and to hold the reins of government, while the Helots were to be slaves? Can northern men, *at any cost*, carry backward the tide of American civilization to the age of oracles and gross superstition? What else in reality is the demand? We refer northern men to some of the memorable letters of this statesman while Secretary of State. We refer them to his learned and important defence of Slavery at that period,—not as a thing of necessity, or expediency, but as a right which God has given—a positive blessing He has ordained to man.

In our negotiations with Texas he was the controlling spirit. The following extract from his letter to Mr. King, then our Minister in France, discloses the strongest motive which engaged him so earnestly in that diplomacy. It was to establish slavery over all that 300,000 square miles as an impregnable defence of slavery in the States of the South. In stating the policy of England to secure by her diplomacy and influence the independence of Texas, he says:—

“It is unquestionable that she regards the abolition of slavery in Texas as a most important step towards this great object of policy, so much the aim of her solicitude and exertions, and the defeat of annexation of Texas to our Union as indispensable to the abolition of slavery there. She is too sagacious not to see what a fatal blow it would give to slavery in the United States, and how certainly its abolition with us would abolish it over the whole continent, and thereby give her a monopoly in the production of the great tropical staples, and the command of the commerce, navigation, and manufactures of the world, with an established naval ascendancy and political preponderance. To this continent the blow would be calamitous beyond description. It would destroy, in a great measure, the cultivation and production



of the great tropical staples, amounting annually in value to nearly \$300,000,000 (dollars,)—the *fund which stimulates and upholds almost every other branch of its industry, commerce, navigation, and manufactures. The whole, by their joint influence, are rapidly spreading population, wealth, improvement, and civilization over the whole continent, and vivifying, by their overflow, the industry of Europe.*"

Thus, Mr. Calhoun rests the prosperity of our tropical staples entirely on slavery. These, he says, uphold every other branch of industry, and the power which sustains them—or *American slavery* is the basis of all our wealth and improvement! It is extending civilization over this continent, and vivifying the industry of Europe!! And this is the logic with which American freemen are called upon to sustain a retrocession from the principles of their fathers.

Upon the annexation of Texas has followed the war with Mexico; we have stated its cost. A peace brings with it 650,000 square miles of free territory—a sixth of all the territory belonging to the United States. And now it is demanded, not as a concession, but as a *right of the south*, that this also be given up to slavery: and such is the logic which proves that Congress has no power to prevent it. This is the reasoning which sweeps away all the legislation of Washington, Jefferson, Madison, and their revered associates, declaring it a continued infraction of the Constitution. This is the ground upon which the *leaders* of the south now say, we will vote for no man as President who will not also declare that the Constitution *does not* and *cannot* vest Congress with the power to prevent it!!

The following, recently from the pen of an able and eloquent writer, who has travelled over both Europe and America, and seen and studied the races of men in their highest and lowest condition, sets forth the moral of this position in a striking light:—

"In his late speech in the Senate, Mr. Calhoun has indulged in very gloomy forebodings touching the fate of the American Union. The enactment of laws to prohibit the progress of slavery on this continent, he regards as an interference with the rights of southern men, an interference that is destined to work out the ruin of this widely spread and glorious republic. His speech, for the most part, sounds like a funeral oration over the grave of American Constitutional liberty. It was a memorable hour in which he made that speech. There he stood in our Capitol, like a 'weeping prophet,' inditing his book of Lamentations, and the future is unfolded to his view with the vividness of a present scene. It is no foreign foe that he dreads, but he sees the wreck of this great nation accomplished by the working of that atrocious error proclaimed in our Declaration of Independence, 'that all men are created free and equal, with certain inalienable

rights.' He sees our flag of stripes and stars struck from its pride of place by the power of this fatal principle. He sees the mighty Eagle of American freedom wounded unto death by a shaft winged from his own plumage.

"Is it not a melancholy sight to behold a statesman of such a wide grasp of thought as Mr. Calhoun possesses, thus warring against all that constitutes the proud distinction of the American Revolution, warring against the laws of God's holy and impartial government, and bracing himself to wrestle with the resistless elements of that progressive humanity which the religion of Christ has quickened into a vigorous life! Mr. Calhoun has often been praised as a political philosopher, a profound thinker, an exact metaphysician; endowed with a wonderful power of apprehending general principles, of tracing their application to the grandest and minutest things, and of illustrating their nature from stores of varied learning. But what of all this! It does not constitute true greatness, nor high statesmanship. The sympathies of his heart run so strongly in unison with the oppressive systems, the doctrines and the spirit which belonged to the gloomy ages of the past, as to render his intellect impervious to the light of the nineteenth century, and utterly blind to the glory of that peculiar mission to mankind which God has entrusted to our common country.

"What is this mission? Every nation has its own. The mission of the Jewish people was to testify against idolatry, and to prepare the way for the coming of Messiah. The mission of the Greeks was the cultivation of learning and taste, and by the formation of a language which became almost universal, to prepare a medium for the spread of the truths of Christianity. The mission of the Romans was the reduction of many kindreds and tribes scattered over an immense territory into a political unity, and thus to open the way for the progress of the new religion. The mission of modern England has been, by the combination of inventive genius with physical industry, to rouse up torpid nations into 'newness of life,' to raise all Asia from the tomb of deadly superstition. The mission of this nation is in keeping with the progress of mankind; it is to realize a higher form of Christian civilization than has yet been seen, and to spread it abroad, not by the power of the sword, but by a *moral* influence. The progress of the race in civilization has been slow but sure. Like the flowing tide, it has had many refluxes, but has been gradually rising. It ever tends to the high mark of its destiny. Christian civilization is the noble end to which all forms of society and government must be subordinated. It comprises those elements of well-being which make life on earth worth living, and give value to the social compact. When we wish to estimate the real dignity of a nation, we ask what it is doing for Christian civilization; if nothing, it de-

serves to perish ; if much, we are disposed to overlook the incidental faults of its system, and to honor its redeeming principle which is struggling onward to a worthy consummation.

“But what are the essential elements of Christian civilization ? In order to apprehend these more clearly, we look at them by the light of contrast, and ask in what does barbarism essentially consist ? The leading features of a state of barbarism are two : 1. Its subjection to the senses. 2. Its incapacity of progress. In the first place, the faculties of the individual man are not developed ; in the second place there is no social progress. The main elements of civilization, then, are the cultivation of the individual, and the advancement of society. The one of these leads to the other. As soon as the one begins to prevail, man begins the career of civilization. Let either cease to operate and the march of civilization is arrested. For centuries neither of them have been active in Mahometan countries, and in regard to civilization, therefore, they have been at a dead stand.

“Guided by these lights, we can easily see what is to be understood by the highest form of Christian civilization. It is that state, in which, on the one hand, human government leaves every individual free to pursue his own happiness in the way that best pleases him, provided he does not interfere with the rights of his neighbor, and in which, on the other hand, the individual receives such a culture of his moral and religious nature as will enable him to choose his course under the influence of intelligence and virtue. This involves the idea of a people governing themselves—providing for their own wants—and pressing forward in a career of intellectual and moral improvement. It is a Christian Republic, ‘running with patience the race set before it,’ reaching forth to the goal around which a terrestrial Eden blooms afresh, and all those elements of happiness abound which are consistent with a mortal and probationary state.

“Of this happy social state, Mr. Calhoun and all the supporters of slavery who act with him, seem to have not even a dim conception. They deny the fundamental principles on which it must depend. However far behind in the march of civilization the South might actually be, if she were really *aiming* at improvement, the North could ‘bear all things, endure all things, hope all things.’ But when the South denies the very principles of progress, and anchors herself fast on the rocky grounds of a set and determined immobility, she must, of necessity, expect the most determined and unyielding opposition from the North.”

In another aspect, our position is also equally extraordinary. We have advanced to the period, when statesmen who would occupy the highest civil office in America, and in view of the moral power with which the father of his country invested it, the highest in the world, can offer a premium to the power of

slavery for their elevation. What but the offer of such a premium is the letter of General Cass to Mr. Nicholson? Language could not speak plainer. In answer to inquiries of that gentleman, he gave his opinion as to the power of Congress to prohibit slavery in free territory. What is the character of this letter?—Where in the history of politics can be found a more belittling attempt at special pleading? Where a more studied one to mystify the plainest language—language so clearly illustrated by all the legislation of our country, and the exposition of its laws for sixty years, that the most unlettered man might define it? We give here all the paragraphs of that letter which are material to the point. It was dated—

*Washington, Dec. 30, 1847.*

\* \* \* \* \*

Their relation (the territories) to the general government is very imperfectly defined by the constitution; and it will be found, upon examination, that in that instrument the only grant of power concerning them is conveyed in the phrase, "Congress shall have the power to dispose of and make all needful rules and regulations, respecting the territory and other property belonging to the United States." Certainly this phraseology is very loose, if it were designed to include in the grant the whole power of legislation over persons, as well as things. The expression, the "territory and other property," fairly construed, relates to the public lands, as such, to arsenals, dockyards, forts, ships, and all the various kinds of property which the United States may and must possess.

But surely the simple authority to dispose of and regulate these, does not extend to the unlimited power of legislation: to the passage of all laws, in the most general acceptance of the word; which, by the by, is carefully excluded from the sentence. And, indeed, if this were so, it would render unnecessary another provision of the constitution, which grants to Congress the power to legislate, with the consent of the States, respectively, over all places purchased for the "erection of forts, magazines, arsenals, dockyards, &c." These being the "property" of the United States, if the power to make "needful rules and regulations concerning" them includes the general power of legislation, then the grant of authority to regulate "the territory and other property of the United States" is unlimited, wherever subjects are found for its operation, and its exercise needed no auxiliary provision.

If, on the other hand, it does not include such power of legislation over the "other property" of the United States, then it does not include it over their "territory;" for the same terms which grant the one, grant the other. "Territory" is here classed with property, and treated as such; and the object was evidently to enable the general government, as a property holder—which, from necessity, it must be—to manage, preserve and "dispose of" such property as it may possess, and which authority is essential almost to its being. But the lives and persons of our citizens, with the last variety of objects connected with them, cannot be controlled by an authority which is merely called into existence for the purpose of making rules and regulations for the disposition and management of property.

Such, it appears to me, would be the construction put upon this provision of the constitution, were this question now first presented for consideration, and not controlled by imperious circumstances.

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How far an existing necessity may have operated in producing this legislation, and thus extending, by rather a violent implication, powers not directly given, I know not. But certain it is, that the principle of interference should not be carried beyond the necessary implication which produces it. It should be limited to the creation of proper governments for new countries, acquired or settled, and to

the necessary provision for their eventual admission into the Union, leaving, in the meantime, to the people inhabiting them, to regulate their internal concerns in their own way. They are just as capable of doing so, at any rate, as soon as their political independence is recognized by admission into the union.

During this temporary condition, it is hardly expedient to call into exercise a doubtful and invidious authority, which questions the intelligence of a respectable portion of our citizens, and whose limitation, whatever it may be, will be rapidly approaching its termination—an authority which would give to Congress despotic powers, uncontrolled by the constitution, over most important sections of our common country. For, if the relation of master and servant may be regulated or annihilated by its legislation, so may the relation of husband and wife, of parent and child, and of any other condition which our institutions and the habits of our society recognize. What would be thought if Congress should undertake to prescribe the terms of marriage in New York, or to regulate the authority of parents over their children in Pennsylvania! And yet it would be as vain to seek one justifying the interference of the national legislature in the cases referred to in the original States of the Union. I speak here of the inherent power of Congress, and do not touch the question of such contracts as may be formed with new States when admitted into the confederacy.

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Briefly, then, I am opposed to the exercise of any jurisdiction by Congress over this matter; and I am in favor of leaving to the people of any territory, which may be hereafter acquired, the right to regulate it for themselves, under the general principles of the Constitution.

Because I do not see in the Constitution any grant of the requisite power to Congress; and I am not disposed to extend a doubtful precedent beyond its necessity—the establishment of territorial governments when needed—leaving to the inhabitants all the rights compatible with the relations they bear to the confederation.

But, after all, it seems to be generally conceded, that this restriction, if carried into effect, could not operate upon any State to be formed from newly acquired territory.

The well-known attributes of sovereignty, recognized by us as belonging to the State governments, would sweep before them any such barrier, and would leave the people to express and exert their will at pleasure. Is the object, of temporary exclusion for so short a period as the duration of the territorial governments, worth the price at which it would be purchased?—worth the discord it would engender, the trial to which it would expose our Union, and the evils that would be the certain consequences, let that trial result as it might?

But there is another important consideration, which ought not to be lost sight of, in the investigation of this subject. The question that presents itself is not a question of the increase, but of the diffusion of slavery. Whether its sphere be stationary or progressive, its amount will be the same. The rejection of this restriction will not add one to the class of servitude, nor will its adoption give freedom to a single being who is now placed therein. The same numbers will be spread over greater territory; and so far as compression, with less abundance of the necessaries of life, is an evil, so far will that evil be mitigated by transporting slaves to a new country, and giving them a larger space to occupy. \* \* \*

I am, dear sir, respectfully, your obedient servant,  
LEWIS CASS.

A. O. P. NICHOLSON, Esq., Nashville, Tennessee.

To make rules and regulations for territory, says General Cass, relates solely "to public lands as such, to forts, arsenals, or dockyards." It is simply to property, and has no reference to persons. Why then, we ask, did those who framed the Constitution, and knew perfectly the power of language, use the terms

"*regulations*" and "*laws*" as synonymous? What is law but a rule of action? And what was meant in vesting Congress with the power to regulate commerce with foreign nations, to regulate the land and naval forces, and the value of money, if it was not to make laws for this purpose? What *unlettered* man even cannot see the difference between specific regulations for the navy yards of Brooklyn, or Charlestown, located within the bounds of State sovereignties, and the general regulation of territory, which requires laws for its inhabitants, as well as for its property? It is in the light of such mysticism, that Mr. Cass also declares the ordinance of '87 a *violent implication* of power.

What puerile reasoning in the closing paragraph of this letter, for one who aspires to the lofty position of Chief Magistrate of the American States! Is it not fully yet tacitly a pledge, that if thus elevated he will use all his power to extend slavery over all our territory now free? It is only a question 'of *diffusion*, not of increase! It will give slaves a larger space to occupy, and thereby mitigate the evil!' What is this but begging for the Presidency between two antagonist forces, which never can harmonize? What is it but a degradation of the mind which craves it? Can the freemen of the north descend to this level to lift up a man, who has made his chief fortune out of the government of territory, and yet now denies the power of Congress to institute any government over existing territory, save for "*dockyards and arsenals*"? Are they so blind as not to see, that if slavery were planted on the shores of the Pacific, it would rapidly extend by importation and speculation, in spite of all laws to the contrary? And if not, can they overlook what he conceals, that by diffusion the ratio of increase would be trebled? Can they fail to see that slave owners and plantations would multiply; and if in no other way, there would be found that most abhorrent of all forms of increase, by the mixture of the races?

What then is the duty of every freeman of the North? Who of them can honestly cast their votes for a candidate for the Presidency, who, by reasons so palpably weak, defends the extension of slavery? It is more than a defence; on one side an *advocacy* of extension,—on the other a weak, yet gracious apology. Question of diffusion, and larger space to occupy! Happy, far-reaching thought,—southward claiming the right, and northward proclaiming the humanity of extension. We ask the candid, the common-sense and intelligent voters of the North, of the West, or of the South, to ponder the meaning of this letter. If it means any thing, its language is, by fair construction, a pledge to the extension of slavery, while its spirit subverts any power which will bear its author onward to the high mark of the Presidency. It will bear no other construction. The question, then, is, can American freemen support such a candidate, whatever his talents, or

previous position in public life? Or will they indignantly rebuke this moral degeneracy of statesmen, and go back to the days of our fathers, with whom honesty and firmness in political faith were cardinal virtues?

The issue now before the American people is a great and solemn one. It must be calmly and firmly met. No man who loves his country can be indifferent. There is already a general uprising of the people. At no period since our independence, has a political question excited a profounder feeling in the hearts of the intelligent masses. In the midst of this feeling, the extraordinary position both of Mr. Cass and Mr. Calhoun can scarcely be solved, except in the reference of the affairs of our nation to a higher and overruling Power. By that Power, which directs in the affairs of nations as in those of men, they are permitted to contend against reason, justice, and humanity, to precipitate this issue, and give the victory to the cause of freedom. This contest has passed without the sphere of mere statesmen and politicians, to the purest and noblest minds of the country. And in every week's continuance, the still small voice is heard, and a mysterious and far-reaching Hand, is seen to move over the elements of strife. Let but the spirit of that late Convention, which gathered at Buffalo forty thousand true hearts, to utter by acclamation the united sentiment of the North, pervade all our movements, and the victory shall be for justice and humanity; the faith of our fathers shall issue in vision to the generations who come after us.

These are a third and most weighty class of facts. They form both an outline of the legislation of our fathers on this subject, and show our present position and duty. In their light we appeal to every voter to consider the moral questions we have presented,—in their light to consider what is his duty in this canvass, and at the ballot-box. If we think and act for the advance of this cause, it is not merely for the election of Van Buren and Adams—worthy, honorable, and able statesmen as they are—but for the great cause of truth, for individual right, and the prosperity of our country.

And in the light of all the facts we have presented—the late fearful struggles of Europe for freedom; of our own exalted position as a confederacy; of our legislation as an infant republic; and the now extraordinary position of slavery extensionists,—every man who holds the principle of the continued freedom of American soil now free, is urged by every consideration of justice, by his fears and his hopes for the future, and by his faith in the ultimate supremacy of truth and right, to sustain these candidates.

## CHAPTER III.

HUNKERS AND BARNBURNERS—NOMINATION OF MR. POLK—HIS ELECTION AND APPOINTMENTS—SILAS WRIGHT—PARTY USAGES SUBVERTED—HERKIMER CONVENTION—ADDRESS—SPEECHES OF HON. DAVID WILMOT AND HON. JOHN VAN BUREN.

We come now to the origin of the two parties called Hunkers and Barnburners.

This carries us back to 1837. The patriot, whose name is now inscribed on our banner, then felt and proclaimed the necessity of divorcing for ever the public funds from the banks of the States. He saw it to be the only means of checking fraud and speculation, and of preserving a sound national credit in all the fluctuations to which the country could possibly be subjected. In that hour of trial some there were, in the democratic ranks, who proved false to their principles. These were kindred in heart and mind to those who deserted the firm and dauntless Jackson in the perilous day of nullification; who, though they dared not condemn, yet disliked his terse and bold proclamation of duty, which struck down the monster when first it reared its head. These were the Ritchies of the Empire State, worse than of the old Dominion. Nor was this all. Their opposition to the independent treasury was but the beginning. In 1842, when the cry of bad faith, recklessness of all legal or moral obligation, was raised, and rung in changes throughout all Europe against Pennsylvania, Michigan, Illinois, and others, more than half the states of the Union; when the debt of the Empire State was so rapidly accumulating as well nigh to threaten it with perfect bankruptcy; then it was that our strong and true men, and foremost among them Michael Hoffman and, Azariah C. Flagg, proposed stringent measures to check extravagance, and reduce this debt. The contest between the true and false men of the party became hot and acrimonious. Every device was adopted both by those who held profitable contracts, and by those who sought and, in the slang parlance of the times, 'hankered' and hoped for public office from the continuance of those expenditures. These men were already in the public granary; their influence had already undermined much of its strongest foundation. The contest waxed warmer and warmer. The tried and pure men saw and felt it to be almost a hopeless one without prompt and even stringent measures. There was little hope of destroying the *vermin* of the treasury but in firing the treasury itself. They must therefore adopt the lesser to cure the greater evil. They must consume the granary, vermin and all. Hence they were called Barnburners, while on the other hand those who would continue this extrava-



gance, and hankered for office and spoils, were, by a corruption of the word which forcibly described them, called Hunkers. Two years passed, and national delegates assembled at Baltimore to nominate a candidate for the chief magistracy of the Union, when these same men fraternized with the south to interpose a rule in the organization of that body, to defeat the nomination of one who was clearly the choice, not only of New York, but of the democratic party of the whole Union. Mr. Polk was selected. Mr. Van Buren cheerfully acquiesced, and not only by his own vote, but by all the strength of his influence supported the nominee. More than this: his firm and tried friend through a long period of public life, the lamented Wright, the Ulysses of the north, to whom all eyes at once turned as their future standard bearer, hazarded his own prospects, and yielded his cherished preferences for the good of the cause, and the success of Mr. Polk. Mr. Van Buren had fearlessly adhered to a high sense of justice and right. On the subject of Texas he had spoken in behalf of the cause of freedom, unmindful of its bearing on his own success. With this high sense of duty, this remembrance of the principles and actions of our early patriots, the pure-minded and incorruptible Wright had the strongest sympathy. Still, both of the proudly cherished sons of New York gave all their influence to the election of a southern candidate. For him they labored, setting aside, for the time being, private views and private feelings. He had been placed before the country by a time-honored usage of the party; therefore they labored, trusting the triumph of their own cherished views to a future issue. Upon this sacrifice, and this alone, turned the election of Mr. Polk. To him it gave the electoral vote of the Empire State, and placed him in the high office he now holds. Subsequent events, though not to the public, are nevertheless known to be true. The farewell advice of the venerable and dying Jackson to the president elect, as he left his home in Tennessee, was to give to New York any post in his cabinet she might elect. The Treasury was offered to Mr. Wright, knowing he could not accept. His *advice* was then asked, but probably with no design of being followed, for these same men, who had again and again proved false to the principles they professed, surrounded and poured false representations into the executive ear. We offer no impeachment of the motives of the President. We regret only that he had not a higher sense of obligation. The motives of his conduct were known to himself and a higher power if to none others. If aught that was mercenary prompted it, the recollection of the past will carry with it its own reward. Their scheme was to unite in his appointments from this state the corrupt and the true, the latter always subordinate; to cement in support of the administration the opposing interests of the state party, interests as

wide as the poles asunder in principle and sympathy. It was a fatal step.

Failing in this attempt these same men now plotted and pursued with a death struggle the political overthrow of him to whom all thoughts had been directed as the next President of the Union. It was no open and honorable warfare. It was that of bitter and implacable enemies, carried on under the garb of friendship. It inscribed his name on the banner which they unfurled to the country, while both the pen and the tongue, with the poison of deadly calumny, and the sting of the viper, traduced his character, and secretly poisoned the minds of the weak and the ignorant. Into this scheme entered the subversion of the long established usages of the party. That wise Providence, which scans all the dark purposes of men, soon took from this scene of conflict him in whom the hopes of the *good* and patriotic had been centered. The contest still continued. But the honest democracy could not forget this hypocrisy. They washed their hands of such black iniquity. Time passed on, and the period arrived in September 1847 for the nomination of state officers, when these same men who had opposed and denounced the measures of the upright and sterling men of the party in '37 and '42 now aimed at and attempted a final victory. It was by usurpation in the organization of this convention, by violation of a solemn engagement in regard to contested seats in its delegations; by wrongfully packing these seats, and thrusting out those who had them by the clearest right; by smothering a resolution which proclaimed freedom in territory now free, a resolution in harmony with Mr. Van Buren's letter on the annexation of Texas, and the known feelings of Mr. Wright; by the removal of the state central committee, whose term of office had not yet expired, and by the substitution of another more docile to move at their own behests; and finally by the subversion of the usages of the party in selecting delegates to the nominating conventions of the state for more than twenty years. This was a climax of fraud too high and too bold to be longer endured. Those who were defrauded by this usurpation felt that the time had not only come to check a fraud so palpable and flagrant on this honored usage of the party, but that in view of passing events it was now the crisis to speak out manfully and clearly to the country on the freedom of the soil.

"Our space," said the Jefferson Democrat of October 7th, following this Convention, "forbids the giving in detail, the history and proceedings of this Convention. It is a matter that we wish, at any time, we were spared from. The preliminary conventions with their false issues and misrepresented constituencies,—the corruption and bargaining of huckstering 'leaders' through the length and breadth of the State,—the numerous officials that have crowded to the spoils, like dogs to the carrion,—the mock delegates with their mock credentials, foully bent on nullifying or misrepresenting the wishes of the people—the informal organization, contrary to expressed pledges, where an unpre-

majority was obtained, by permitting a hundred and forty to vote, when a hundred and twenty-eight were all that could hold seats—the packed committees with their predetermined conclusions, bound at all hazard, and at the expense of justice, to preserve their numerical superiority, obtained as it was by fraud,—the reception, in all cases save two, of the contestants who harmonized with them in principles, however gross were the outrages on which they based their claims,—the publishing an address and resolutions adopted by less than a majority of even a quorum of the members,—the holding up of our noble State as eager to forget the expression of feeling, in regard to the extension of territory, it has made in two successive legislatures, and offering it to the highest bidder of the Southern market, all these matters, undisputed as they are, afforded too marked a triumph to the opponents of Democracy to render a recapitulation of them here, however necessary it may be, a pleasing duty. Yet when the day of reckoning comes, they will be written in the hearts of the avengers.

"Who can forget that to this class of politicians we owe, after an overwhelming majority in the convention had decided for his renomination, the defeat of Silas Wright last fall, and his premature death a month ago? May 'our right hands forget their cunning' ere we cease to remember this, or neglect to return, when the fit time arrives, upon the leaders in this foul reproach, full 'measure for measure.'"

## HERKIMER CONVENTION.

In obedience to a call by the Democratic delegates to the Syracuse Convention, who felt that their rights had been trampled upon, the Democracy of the State met in mass convention, at the village of Herkimer, on Tuesday, the 26th of November, 1847, "to avow their principles and consult as to future action." It was a large and most enthusiastic meeting, attended by the ablest men, and those of the highest political and moral standing, from all parts of the State. The following were the officers of this meeting:

*President.*—Churchill C. Cambreling, Suffolk.

*Vice-Presidents.*—1st District, James H. Titus, New-York; Theodore Martine, New-York. 2d, Daniel A. Shuart, Orange; Samuel C. Johnson, Kings. 3d, John P. Beekman, Columbia; George Warren, Albany. 4th, James H. Sherrill, Washington; John Darrow, Montgomery. 6th, Luke Hitchcock, Madison; Samuel Medbury, Chenango. 7th, John Lapham, Ontario; H. A. Packard, Monroe. 8th, Harry Wilbur, Genesee; Alfred B. Judd, Niagara.

*Secretaries.*—John Cochrane, New-York; Isaac P. Van Alen, Columbia; Benj. Welch, Jun., Oneida; E. A. Maynard, Erie.

Mr. JOHN VAN BUREN, of Albany, then moved a committee to report an address avowing the opinions of this Convention, to consist of one from each Judicial District, which was seconded and carried, and the President reported the following gentlemen such committee, who were approved by the Convention:

1st District, John T. Doyle, of New-York; 2d, Henry Dubois, of Dutchess; 3d, J. Van Buren, of Albany; 4th, C. G. Myers, of St. Lawrence; 5th, S. Barry, of Herkimer; 6th, J. W. Nye, of Madison; 7th, Geo. Rathbun, of Cayuga; 8th, Isaac Sherman, of Erie.

DAVID DUDLEY FIELD, of New-York, moved the appointment, by the President, of a Committee of like number, to report a series of resolutions for the consideration of the Convention.

The President appointed the following *Committee*:—1st District, David D. Field, of New-York; 2d, Charles E. Waterbury, of Dutchess; 3d, Bradford R. Wood, of Albany; 4th, Platt Potter, of Schenectady; 5th, C. B. Hoard, of Jefferson; 6th, H. R. Batee, of Broome; 7th, James C. Smith, of Wayne; 8th, Fred. P. Stevens, of Erie.

Hon. DAVID WILMOT, of Pa., was present, and eloquently addressed the meeting. Speeches were also made by JOHN VAN BUREN, C. C. CAMBRELING, Gen. NYE, of Madison County, and J. W. TAYLOR, of Ohio. Mr. Van Buren reported the following clear, able, and forcibly written address to the Democratic electors of the State of New-York. This document sets forth, as in sun-light, the fraudulent

action of the Syracuse Convention. It states, very clearly, the action and the principles of New-York on the subject of slavery in all its legislation thus far; it contrasts, briefly and plainly, the doctrines of the fathers of our country with that of the southern politicians of this day; it enters the protest of New-York against such an usurpation, gives the grounds of its complaint, and points to the Constitution as our only abiding sheet anchor and hope. It is worthy of Mr. Van Buren's pen.

## ADDRESS.

FELLOW-CITIZENS:—The recent proceedings of a State Convention called by you, have induced us to assemble, and we take the liberty of asking your serious attention to those proceedings, as well as to present for your consideration the views we entertain of certain important questions, and of the duty of the democracy at the present crisis of public affairs.

The principle which lies at the basis, not only of the democratic faith, but of representative republican government, is the faithful reflection by the representative of the will of the constituent. Unless this principle is practically applied to our government, the system must prove a failure. It is equally indispensable in the conventional action of parties, for on it are founded the associated efforts which give shape and direction to the government.

This vital principle was shamefully violated in the late Syracuse Convention, and candidates who were known to be the choice of a majority of the democratic party, were deprived of a nomination by this base betrayal of the popular will on the part of those who were delegated to express it. Nor was this the only abuse perpetrated. Persons without the shadow of a claim to seats in the Convention, were permitted to retain seats in it for days, to neutralize the votes of the regular delegates, and to exclude them eventually from the seats to which they were entitled. Claimants against whom undenied evidence of bribery and corruption was produced, were admitted to seats. Delegates whose election had been effected by the seizure of the ballot boxes and the polling of illegal votes, were welcomed into the convention, while others fairly and honestly elected were expelled. A just and fair agreement for the organization of the convention was wantonly violated. Instead of 128 members, which was the whole number the counties were entitled to send, one hundred and thirty-six persons took part in the preliminary proceedings which controlled the action of the body. Committees of the most prejudiced cast were appointed to pass upon the rights of contesting delegates. Unjust and arbitrary decisions sustained their partial reports, excluding the rightful delegates, and at last the Convention, thus unnatural in proportions and disgraceful in conduct, shrank to a little more than a third of its original size, and expired. To add that a Convention thus constituted and thus conducting, has imposed no obligation on you by its action, is the simple announcement of the conceded truth that the fraudulent conduct of no man can bind another. We shall not stop to canvass the candidates who were thus presented for your suffrages. When the perversion of duty extends only to the sacrifice of the preferences of individuals as to candidates, it may be forgiven. When it reaches principles, it becomes an evil that corrupts the sources of government, and perverts all its functions. While the history of the Democratic party has shown frequent instances of pardoning what might be deemed an abandonment of their wishes as to candidates, it has exhibited no such tolerance under the betrayal of principles. The Democracy of this State may claim to have shown a just discrimination in this respect. When in the Baltimore Convention of 1844, the choice of New-York, if not of the Union, for the highest office in the Republic, was sacrificed by the adoption of a rule, which denied and defeated the voice of a majority of that body, the Democratic party acquiesced, because their principles were boldly avowed. With a self-sacrifice which could be made only by enlightened and patriotic Republicans, they devoted all their energies to the success of the candidates in whom the principles of their cause were embodied. That act of self-denial and devotion saved the Union to the Democracy. Nor could New-York fail to repeat the sacrifice of personal preferences if it were again demanded of them, or murmur at the exaction, if it were necessary to preserve the integrity or ensure the success of their cause. No such issue is now presented.

We shall call your attention more particularly to two of the acts of the Convention,

of which we complain, and to which we shall not submit: the first is its refusal to allow an expression to be made of the sentiments of the New-York Democracy in regard to the proposed extension of slavery to lands now free, and the second, obviously connected with it, and a part of the same project, is the superseding of the present State Central Committee, creating a new one clothed with the unheard of power to call future State Conventions, and the recommendation to each Congressional District to send a delegate to the next Convention of the Republicans of the Union, to nominate a candidate for President of the United States.

And first, the State Convention voted to lay upon the table the two following resolutions, offered by Mr. SMITH, of Wayne:

*Resolved*,—That we believe in the dignity and rights of Free Labor; that free white labor cannot thrive upon the same soil with slave labor, and that it would be neither right nor wise for the general government to devote to slave labor, the temperate climate and fertile soil of any territory now free, to the exclusion of the free labor of all the States.

*Resolved*,—That we adhere to all the compromises of the constitution; that we will maintain with inflexible firmness all the reserved rights of the States; that we disclaim all right or wish to interfere with slavery in the several States, but we declare uncompromising hostility to the extension of slavery into free territory, by any act of the national government.

These resolutions were laid on the table under the pretence, that they should be taken up and considered after the nominations were completed. When the nominations were completed, and the address and resolutions of the convention appointed by the chairman of the convention were read, Mr. Field, of New-York, moved Mr. Smith's resolutions as an amendment to those of the committee. To this, objection was made, and the chairman decided, that being laid upon the table by the vote of the convention, they could not be moved as an amendment. Mr. Field then offered the following resolution as such amendment, to wit:

*Resolved*,—That while the Democracy of New-York, represented in this Convention, will faithfully adhere to all the compromises of the Constitution, and maintain all the reserved rights of the States—they declare—since the crisis has arrived, when that question must be met,—their uncompromising hostility to the extension of slavery into territory, now free, which may be hereafter acquired, by any action of the government of the United States."

On this motion Mr. Peckham, of Albany, called the previous question, and it was seconded, and the chair decided, that this call cut off the resolution. No question was therefore suffered to be taken on the principle of either of these resolutions. We avail ourselves, therefore, of this occasion to express our views upon the great principle embodied in them. Here at least we shall not be embarrassed by questions of order, nor stifled by parliamentary law.

It is a principle dear at all times to the Democracy of New-York, and at this crisis, vital and essential. Ever true to the principle of State sovereignty, the voice of New-York has always been uttered, and her power exerted to maintain the compromises of the Constitution, and protect all the members of the Confederacy against the encroachments of the Federal power. Their domestic Institutions, however repugnant to the sympathies of our people, have been carefully left to the disposition of the electors of the several states. But while thus loyal to the Constitution, the State of New-York was ever true to Freedom. She early abolished within her limits the institution of Slavery. In the prosperity of the States of the North-west, allied to her by the nearest interests, she witnessed an example of the power and energy which Free Institutions give to a people and which they spread far beyond their limits. She gave her unanimous voice against the perpetuation of Slavery in the territory of Louisiana, ceded to us by France, and only assented to the compromise of that question, because, in its final settlement, it excluded slavery from soil where it was already tolerated, and the result was, to gain freedom. When, two years since, the initiatory steps were proposed to Congress for the acquisition of free territory by treaty, and the condition was attached to the grant of money for such object, that in no such territory *should slavery or involuntary servitude be permitted, except for crimes, whereof the party shall have been duly convicted*, her representatives in Congress all but unanimously united in support of this provision. Her State Legislature, with equal unanimity, approved of this condition, and instructed her representatives to maintain it. The determination of her Free

Electors was equally unanimous and firm, that the free soil thus acquired by conquest, by the arms and treasures of the whole people, should remain free so long as it existed as a territory of the Union. She demanded that the powers of the federal government, which she had never permitted to be employed against slavery in the States, should not be exerted for the overthrow of established freedom. This requirement was dictated by no hostility to the South. The previous acquisition of territory on our south-western borders and the contemplated increase of it, offered to the Southern members of the confederacy advantage in which the north could in no event share equally. Contiguity of territory, a community of climate, soil, and productions inviting immigration from the South, presented to it preponderating advantages. The people of New-York demanded only that that part of the new territory which was now free, should remain free, till the period of its tutelage and subjection to the federal government should be completed, when the ultimate decision, in favor of Slavery or Freedom, might be made by its own electors, on their assuming the responsibilities and rights of sovereign States. The principle thus asserted, was not only in harmony with freedom, but with that doctrine of State rights, which has ever been the bulwark of Democratic Liberty. It is this principle, thus frequently and unanimously asserted by the Democracy of New-York, and of the North, and so intimately interwoven with its history and its usages, that has been prostrated at Syracuse, and prostrated, too, by external influences which threaten her own sovereignty and rights.

The creed of Democracy which had taught the Fathers of the Republic that human bondage was a social, moral and political evil imposed on a section of the Union by the peremptory force of circumstances, has received of late years a new interpretation. The doctrine of Jefferson, Washington, Patrick Henry and the Randolphs, that slavery is a great social evil which should be gradually but certainly eradicated, that it is a relation fatal to industry, false to economy, injurious to morals, and dangerous to liberty, and in its indirect and pernicious influences upon the masters retaliating the wrongs it imposes upon its more immediate victims, has been discarded by a school of modern politicians of the South. It is maintained in sections of the Union, and by prominent Statesmen, that Slavery, instead of being an inevitable evil, is a desirable good, which presents not only the sole means for the continued associated existence of the black and white race, but the safest and best relation between capital and labor, and one in which the subordination of the latter to the former can alone be permanently maintained. This doctrine has been asserted from the federal cabinet, and papers issuing therefrom have impeached the free institutions of the North as the sources of physical and moral degradation to its emancipated laborers.

These avowals, abhorrent to the sentiments of Freemen, and irreconcilable with the idea of human progress, have been addressed to the representatives of the monarchical governments of Europe as the fruits of our experience, and the established convictions of our people. This ominous and repugnant theory is now sought to be carried out in practice by the conquest of Free territory, and the establishment of Slavery thereon. Against such an usurpation of powers, for such an object, the Democracy of New-York firmly and solemnly protest. In behalf of the free white laborers of the North and South, in behalf of the Emigrant from abroad, in behalf of posterity, and in the name of freedom, we protest against it. We protest against the extension, by the arms or the influence of the Republic, of an institution whose inevitable concomitant is the social and political degradation of the white laborer; which, wherever it prevails, denies to the masses, that equality of suffrage which is an inherent element in the Democratic system. We protest against the aggressions of an institution which gives to the owner of five slaves a representation equal to that of four of our own free electors; a preponderance of political power which, so far as it is one of the compromises of the Constitution, we shall faithfully observe—but which the freemen of New-York will not extend to conquered provinces. We protest against the extension of an institution which is a source of insecurity and poverty in peace, and of embarrassment and danger in war. We protest against a course of action in regard to the provinces of the Republic, which is the counterpart of that which Great Britain pursued, when she planted slavery in our infant States, against the remonstrance and entreaty of our forefathers. We protest against degrading the character of the existing war, (a war so glorious to our arms, and which we have supported, and shall support,) alienating the sympathy of the producing masses of the North, upon whose labor and industry the heaviest of its burdens must ultimately fall, and dampening the ardor of our brave soldiery, and staining the laurels

they have so gallantly won, by presenting as the aim and consummation of their sacrifices and valor the subjugation of free soil to slavery.

In the firmness with which the democratic masses of New-York have stood by the real rights of the South, they have afforded a guaranty of the sincerity of their conviction and of their devotion and loyalty to the Constitution. Now that they are called to resist aggressions from an opposite direction, threatening their own rights and interests, they will not be less firm.

The time for the declaration of this sentiment has arrived. A project of a treaty is now before the Mexican government, which provides for the addition of territory to this country, equal in extent to nine States like ours. That large accessions of territory will be made, we believe, as we believe that our glorious Federal institutions are capable of indefinite expansion. The principal questions unsettled between the two governments are the limit of this territorial acquisition, and the demand of Mexico that slavery shall not be imposed upon the free territory she cedes. A representative of South Carolina, in the Senate of the United States, in contemplation of this acquisition, has presented to that body resolutions in these terms:

"Resolved, That Congress, as the joint agent and representative of the States of this Union, has no right to make any law or do any act whatever, that shall directly or by its effects make any discrimination between the States of this Union, by which any of them shall be deprived of its full and equal right in any territory of the United States acquired or to be acquired.

"Resolved, That the enactment of any law which should directly or by its effects deprive the citizens of any of the States of the Union from *emigrating with property to any of the territory of the United States*, will make such discrimination, and would therefore be a violation of the Constitution and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality which belongs to them as members of the Union, and would tend directly to subvert the Union itself."

This doctrine, which denies the existence of Freedom in territories already belonging to the Union, as well as in those hereafter to be acquired, was illustrated by the rejection of a bill for the territorial government of Oregon, because it contained a prohibition of slavery. The legislature of Virginia has avowed substantially the same doctrine. The legislatures of many of the Southern States have followed the example; and the press, the statesmen and the political conventions of the South, have declared their determination to oppose any candidate for the Presidency not pledged to these principles. Resistance by force to the application of the Jeffersonian ordinance of 1787, which interdicted *existing slavery*, to other and *free* territories, has been intimated to be the general purpose of the South. The only concession which has been suggested, is the extension of the so-called Missouri compromise to the acquired territory.

In the present exigency there is no motive that should induce the North to accede to such a proposition. The line of 36d. 30m. was first adopted as the equal partition line of the then territory of the Union between the North and the South. The annexation of Texas with slavery has given a new and preponderating influence to the slave States, and the spirit of the Missouri proposition would obviously require that at all events an equal amount of territory should be set apart to Freedom. But there is no analogy in the two cases. The compromise of 1820 interdicted in the territories ceded to us by France, the continuance of an institution which was already established there, and which the treaty of cession had protected by express stipulations. The territories now sought to be acquired have been proclaimed free and have long remained so, under the partially enlightened government of Mexico, and the people of New-York will never consent that free institutions, however imperfect, shall be overturned by our arms in order to make room for slavery.

In expressing these convictions of the democracy of New-York, we disclaim on their part, any sentiment of sectional animosity. In protecting the sovereignty of the States from external influences of all kinds, and in adhering to a strict interpretation of the Constitution, they have acquired from THOMAS JEFFERSON, the title of the "natural allies of the South." They have refused to regard the petitions of citizens of non-slaveholding States to interfere with Southern domestic institutions. They have refused to make the Federal Government the instrument of abolishing slavery in the District of Columbia, unless on the demand or with the consent of its citizens. They have refused to permit the facilities of the National Post Office to be made an engine for the dissemination of publications calculated to impair their tranquillity and endanger their

safety. They acceded to the annexation of Texas, which confirmed and strengthened this sectional power, and did not regard the existence of slavery already established there, as a sufficient reason for refusing its admission into the confederacy.—They have declined to unite in any party based upon sectional differences; and so far from exerting even that influence in the Union which their preponderating numbers have given them, for selfish aggrandizement, they have aided in bestowing the largest share of official power and patronage on the South. The Presidency for forty-eight years out of sixty, has been in the hands of statesmen of the slaveholding States. The majority of the administrative, judicial and diplomatic offices of the country, and of the army and navy, have been and still remain in the hands of citizens of that section of the Union; though the free and chattel representation of the slaveholding States combined, gives them no more than 90 Members in the popular branch of Congress, out of 228, yet in the Senate they possess one-half of the representation; of this we do not complain, though it was a compromise of a most material right of a republican people.

These are some of the inequalities which existing circumstances have produced between the two sections of the Union, and which the Constitution secures, and which we in the spirit of obedience to it have ever been ready to assent to. We might add many others, but it is unnecessary, and might needlessly irritate the feelings of each towards the other. We close this branch of the subject by saying to you, that the principle contained in the foregoing resolutions, which the Syracuse Convention refused to adopt, is one which it is the duty of the New-York democracy to avow and maintain, and which we believe nearly the whole civilized world will concede and approve; and we would respectfully apprise our Southern brethren, that although our climate or disposition may not excite in us a warmth and strength of assertion equal to their own, our resolution is none the less fixed and immovable.

Let us advert briefly to the second ground of our complaint. The system of choosing Presidential electors by districts, has been fairly tried by this State and abandoned. It was found to neutralize and destroy the power of the State.—In the contest between Jackson and Adams, for example, the State gave but four efficient votes, out of 36 to which she was entitled. The same consideration has induced the electors of the State of both parties to choose their delegates to a National nominating Convention by a State Convention. Thus chosen they act with union and efficiency. The Syracuse Convention, departing from this established usage, recommended the choice of such delegates by districts. They went further, and removed the State Central Committee, which was appointed in October, 1846, "*for two years and until another should be appointed,*" and they clothed a new State Central Committee, which they created, with the power to call future State Conventions,—a power which previous State Central Committees are believed never before to have possessed or assumed. Against this violation of the established usages of the Democratic party, and this reversal of its previous acts, we protest. We deem this matter, seemingly unimportant in itself, one of serious concern when taken in connection with the principles which the Convention suppressed the avowal of. We protest against it as not only unauthorized in fact and void for fraud, but as deserving the severe condemnation of the Democracy of New-York, as part of a scheme to prostrate the influence of the State and degrade its free principles. We repudiate the act and the recommendation, and call upon the Democracy of the State to send single delegates from each of the Assembly Districts in the State, to meet at Herkimer on the 22d February, 1848, to select 36 delegates to represent the State in the next National Convention to nominate a candidate for President, and to transact such other business as shall come before them. We will not affront your intelligence by entering into an argument to show that the Democratic Masses, assembled in their primary capacity, have the right to make this call, and that they require no packed committee to undertake this office for them.

We have thus concluded the duty which is the main object of our assembling. Disavowing the action of the Syracuse Convention, we have yet declined at this late day to present candidates for your support at the important election now just at hand. There is not time to do so with a hope of success. We leave the Democracy of the State to vote as they must do when no regular nominations have been made, with the single assurance that whatever may be the result of the approaching State election, we have one sheet anchor of safety.

We point to the Constitution. Whatever uncertainty may cloud the future of the Democratic party, they may at least repose under the conviction that the charter of



their liberties is in the hands of the people, beyond the danger of abuse or misconstruction by delegated power. It is beyond the reach of the temporary mutations of politics. Those who may be called to administer it, may be false to its spirit and hostile to its objects, but they cannot obliterate its great distinctive landmarks. It can only be modified by the direct votes of a majority of the people on the concurrent recommendation of two successive legislatures. An instrument adopted by a majority of 130,000 votes, cannot be in danger of sudden change. The public debt must be paid. The public works must be completed from the surplus revenues of our canals. The public faith for present or future indebtedness must be maintained. A self-adjusting system of finance must be perpetuated and carried out. An elective Judiciary must continue responsible to the people, and we confide in their integrity and firmness as interpreters of the Constitution. Legislative power must move within its restricted limits. Associated wealth can no longer seek charters and immunities in the halls of legislation, or absorb by its special demands the labor and care which should be directed to the good government of the whole people.

In these respects, the Constitution must remain a proud and enduring monument of the patriotism and self-sacrifice of the Democratic party, and of the wisdom and foresight of its framers. To the history of the struggle by which that Constitution was secured, the Democratic party may point as the best vindication of the purity of their purposes, and of their attachment to the interests of the people. Fresh from a victory over the Federal party in the Union, which promised the most enduring fruits; with the power of the State in their hands, its finances relieved from the burdens, and its action disembarrassed of the entanglements which a preceding administration had cast around it; concentrating the confidence of the masses, and the favor of those business interests which, after a long and disastrous mingling in political struggles, sought and found prosperity in governmental stability, it had within itself all the elements for perpetuating power. The vast patronage of government furnished to it its effective instrumentality. It had at its head, and in the Executive Chair, SILAS WRIGHT, a statesman, the brightness of whose intellect, the depth of whose patriotism, and the purity of whose character challenged the affection and respect of all, and insured it an honorable career. This power and patronage, in these hands, it surrendered into those of the people. Every function of Government, the sovereignty of the State itself, the public means and credit, were all restored in fact, to those to whom, in theory, they belonged. The result of this confiding trust in the popular intelligence and integrity, is such as may well invite imitation from other States, and from the General Government. It conveys to us the comfortable assurance, at this season of division and doubt and apprehension in the Democratic ranks, that whatever individuals may assume the reins of government, the safety of the Republic is anchored in the Constitution.

The perusal of this Address was frequently interrupted by bursts of applause from the assembled multitude. It was unanimously adopted.

Mr. D. D. FIELD, from the committee on Resolutions, reported the following

#### RESOLUTIONS:

1. *Resolved*, That the proceedings of the late State Convention have made it necessary for the Democracy of the State to assemble in this Mass Convention, for the purpose of avowing their principles, and consulting as to their future action.

2. *Resolved*, That we protest against the conduct of the factitious majority of the Syracuse Convention, as false to the will of the Democratic party, false to their cherished doctrines of freedom, in violation of the representative principle, and disclosing political corruption which calls for the rebuke of every Democrat; and that we repudiate it as the exponent of the principles of the Democracy of New-York.

3. *Resolved*, That notwithstanding the apparent ascendancy of the Conservatives in the late State Convention, the Democratic party of the State of New-York is now as it has ever been, in favor of a strict construction of the federal Constitution, and of all grants of power; of the divorce of the government from banks and paper currency of every description; of freedom of trade and of industry, and of those great principles which lie at the foundation of our institutions, and to which our people are unalterably devoted—the equality and freedom of Man.

4. *Resolved*, That we are in favor of free trade, believing it to be the true doctrine, both in an economical and political point of view.

5. *Resolved*, That we are in favor of the personal liability of corporators in all corporations established for the profit of the stockholders.

6. *Resolved*, That while we hold the strict doctrines of the fathers of the Republican party, in respect to the powers of the General Government over Internal Improvements, we believe that a practical and wholesome rule of construction is presented in the letter of SILAS WRIGHT to the Chicago Convention; and we hold that the improvements should be limited to the protection of commerce existing at the time of the improvement; that the principle applies equally to the Lake and Sea coasts, and those great Rivers whose channels and commerce are clearly beyond the jurisdiction of the States; and that the improvements should be provided for by separate acts, each limited to a single object.

7. *Resolved*, That we here renew our declaration of attachment to the financial policy which, first broached in 1841 in the people's resolution, and sustained by the act of 1842, has been engrafted on our new constitution; and we have new reason to rejoice that the Constitution has placed it beyond legislative control, since we have seen its enemies in the ascendant at the late Syracuse Convention.

8. *Resolved*, That the success of our arms has caused exultation in every patriotic heart, and that we will give to the administration a hearty and vigorous support in the prosecution of the war with increased energy and despatch to an honorable termination.

9. And whereas, at the said State Convention a resolution was moved in these words:

"*Resolved*, That while the Democracy of New-York represented in this Convention, will adhere to all the compromises of the Constitution, and maintain all the reserved rights of the States, they declare—since the crisis has arrived when that question must be met—their uncompromising hostility to the extension of slavery into territory now free, which may be hereafter acquired, by any action of the Government of the United States;"

which resolution was refused discussion, and stifled by the said Convention; and, whereas, that resolution expresses truly the opinion and determination of the Democracy of the State; now, therefore, this Mass Convention of the Democratic party of the State, reiterates and adopts the said resolution, and proclaims it as an inseparable element of their political creed.

10. *Resolved*, further, That the declared determination of no inconsiderable portion of our fellow Democrats at the South, to refuse to go into a general convention for the nomination of a candidate for the Presidency, except upon condition that opposition to the extension of slavery into new territories be abandoned, and to refuse their suffrages to candidates for office who do not concur in such extension, makes it necessary for the Democracy of New-York to declare that, if such determination is persisted in, and becomes general, they will be obliged to adopt a counter declaration, and to proclaim their determination to vote for no man, under any circumstances, who does not subscribe to the preceding resolution; and we recommend our fellow Democrats to prepare for such an emergency.

11. *Resolved*, That we believe in the dignity and the rights of free labor; that free white labor cannot thrive upon the same soil with slave labor; and that it would be neither right nor wise to devote new territories to the slave labor of a part of the States, to the exclusion of the free labor of all the States.

12. *Resolved*, That while we do not complain of the inequality of representation between the citizens of the free and the slave states, by reason of which the citizen of the slaveholding South who has five slaves, has a representation equivalent to four votes, while the citizen of the free North has but one, because such was the original compact of union, yet the freemen of New-York will not consent to such an unequal division of their power, with conquered provinces.

13. *Resolved*, That all experience has proved the wisdom of that provision of the ordinance originally moved by Thomas Jefferson, and adopted by the Congress of the confederation in 1787, which prohibited slavery in the territory north-west of the Ohio, and that the Congress of the United States, being clothed by the Constitution with power to make all needful rules and regulations respecting the territory belonging to the United States, it becomes the duty of that branch of the government to adhere to the policy instituted by the fathers of the Republic, and thus insure to all new territories the

progress in arts, improvements, and enterprise, which has distinguished the north-western States.

14. *Resolved*, therefore, That in the territory of Oregon, and in any territory hereafter acquired by the United States, on this continent, neither slavery nor involuntary servitude should be allowed, while it remains under the dominion of the Union, except for crime whereof the party shall be first duly convicted.

15. *Resolved*, That a decentralization of the power of the federal government is indispensable to the purity of our elections and the success of our institutions; and we therefore heartily approve of the proposition made and adopted in the Senate of this State, on the 25th day of October, 1847, for an amendment of the Constitution of the United States, which shall authorize Congress

1st. To provide by law, that any of the officers of the United States for any state or territory, or for any subdivision or portion thereof, shall be elected by the electors of such state or territory, or some subdivision thereof, and to prescribe the manner of such election.

2d. To prescribe by law the duration of the official terms of all officers of the United States, the duration of whose official terms is not fixed by the Constitution; the cases in which any such officer may be suspended or removed from office before the expiration of the term for which he shall have been elected or appointed; the officer or tribunal by which, and the manner in which, such suspension or removal shall be made, and the manner of filling any vacancy occasioned by such suspension or removal.

16. *Resolved*, That the State of New-York has fairly tried the system of choosing Presidential electors by districts, and has abandoned it because it was found to neutralize and destroy the power of the State in the election. Having adopted the general ticket system of choosing electors, both parties have uniformly selected their delegates to a national convention to nominate a candidate for the Presidency by a State Convention. We shall adhere to this usage.

17. *Resolved*, That there be a convention of delegates from the Democratic electors of the different Assembly districts in the State, equal in numbers to the Members of Assembly, to meet at Herkimer on the 22d day of February next, at 1 o'clock, P.M., to appoint 36 delegates to the Democratic Convention for the nomination of a President; to call a future Convention, and to transact such other business as may come before them.

18. *Resolved*, That a corresponding committee of two from each county be appointed by the chair, to carry into effect the common purposes and objects of this Convention.

The following extracts are from the speech of the Hon. David Wilmot, at Herkimer, giving a history of the Proviso which bears his name.

REPUBLICANS—First of all, it becomes me to make my grateful acknowledgments for the flattering manner in which you have been pleased to greet my appearance here this evening. The uniform kindness with which I have been received in your State, gives me the comfortable assurance, that though in a strange land I am surrounded by friends.

I have heard through the public press, that the Proviso had been trampled upon and smothered at the Syracuse Convention, and I thought it no harm in me to come up to the resurrection at Herkimer. I came to see if my namesake would survive the buffetings it had received at Syracuse. I was anxious to hear the response of the people, to the stand their representatives in Congress had taken, on the great question involving the rights of free labor and the integrity of a free soil; and to hear that response in the heart of this great State, the mightiest of the confederacy. What I have seen and heard has inspired me with new hopes and new courage.

When that bold and sagacious statesman, now in retirement, recommended the divorce of the Government from the Bank, I, an humble member of the Republican party, unknown beyond my immediate section of the State, was exerting every effort to sustain him in that trying crisis.—I was in the school-houses, and at the four corners of the roads, addressing the people in support of that great measure of reform, while Edwin Croswell, a prominent leader of the party, was doing all in his power to defeat it, and to embarrass the efforts of its friends. On this issue the Democracy of Pennsylvania sustained my course, and rejected the time-serving policy of Mr. Croswell and his bank allies. Again, in 1846, when I stood alone among my delegation at Washington, voting for, and advocating the new Tariff, he was in the lobbies of Congress, exerting

the whole weight of his powerful influence to defeat its passage. On this issue also, the Democracy of Pennsylvania have sustained me, and rejected the selfish and interested advice of Mr. Crowwell. There is this difference politically, between that gentleman and myself: He is ever found in close alliance with the Banks and monied interests, while I have endeavored to approve myself a faithful advocate and representative of the people's rights.

From the connection in which my name stands with the article in the *Argus*, it is insinuated, that at some period of my life, I was an opponent of Mr. Van Buren. This also is unqualifiedly false. I commenced my political life under that great leader, and never did I have occasion to find fault with a single act of his administration, or measure of public policy recommended by him. In 1836, I rallied with his other friends to his support, and that too, in opposition to most of the old leaders of the party in my section of the State. I did my utmost to sustain him in the disastrous campaign of 1840, and in '44 offered the resolution instructing the delegates from Pennsylvania to support his nomination in the National Convention. Some of them disobeyed the instruction, whether under the advice of the Editor of the *Argus* or not, he can best tell.

The re-election of Francis R. Shunk is claimed by the Washington Union and Albany *Argus* as a triumph over the principles and friends of the Proviso. There is no foundation for such a claim. It is an unparalleled piece of impudence, come from what quarter it may. The attempt of the government organ, to give such a complexion to the recent triumph in Pennsylvania, is an insult to the democracy of that State, and an outrage upon its sentiments. I am honored by the confidence and friendship of Francis R. Shunk; and while I have no authority to speak for him, I feel safe in the declaration, that the efforts of Mr. Ritchie to appropriate to himself a victory that belongs to another, will not be kindly received by the friends of Governor Shunk in Pennsylvania. The editor of the Union makes entirely too free with the democracy of the Keystone. The democrats of my district, and I doubt not also in other parts of the State, feel as if they had some share in the triumph—as if some of the honor belonged to them, and to the honest old Germans who bore their standard to victory. Mr. Ritchie, in his efforts to put down the Proviso, and to falsify public sentiment upon the question, has overshot the mark. He has said, what I here undertake to say he had no authority for saying. The election of Governor Shunk is not a victory over the Proviso or its friends; and no respectable democratic paper of that State has had the hardihood to make such a claim. The people of Pennsylvania do not so understand it—nor is such its true character. The re-election of Governor Shunk, by a majority that surprised both enemies and friends, while it certifies that the people of Pennsylvania will sustain the government against the public enemies of the country, is in an eminent degree, a tribute to the stern integrity and virtues of our candidate. He planted himself upon the highest doctrines of the party in his steady and unflinching resistance to the spirit of monopoly, and the demand for corporate immunities; and upon the principles and issues therein involved, abided with confidence the verdict of the people. Noble and faithful man! he leaned upon the people with a confiding trust, scorning the low intrigues and corrupt machinery which knaves employ to perpetuate power in their hands. His views upon the great question that now agitates the public mind so intensely I do not know, having never heard him declare them, but from my knowledge of his character, and of the opinions of some of his nearest and best friends, I have a well grounded faith that he is with us—that he is opposed to slavery propagandism—to the establishment, by this government, of slavery in conquered provinces now free. This I do know, that there is no tincture of Conservatism about him—that he detests dishonesty and fraud in politics, as in morals, and holds no fellowship with unsound and rotten politicians.

So far as the Democracy of Pennsylvania has ever made an expression upon the question of the extension of slavery over territory now free, it was in favor of freedom. I appeal to the unanimous action of our last Legislature to sustain me in this declaration. The truth of it is, Mr. Ritchie has mistaken the opinions of the Secretary of State, for the voice of the democracy of Pennsylvania; and Mr. Crowwell, I fear, is in danger of falling into the same error. The letter of Mr. Buchanan to the Berks county meeting expresses his own views, but I deny that it speaks the sentiments of the democracy of Pennsylvania. That letter was read at a large meeting in Berks county, the Gibraltar of the democracy of the State, at which Governor Shunk was present. The confidential clerk of Mr. Buchanan was on the ground, and so was his fast and able friend, the editor of

the Pennsylvanian. It was of the first importance to the Secretary of State that his new and extraordinary position should be sustained by the democracy of Berks county; yet that meeting passed no resolution endorsing the compromising sentiments of the letter. I have another and a better reason for believing that the democracy of Berks are sound upon this question. John Ritter was the member from that county in the late Congress—a noble representative of the firmness and honesty of the German character. He is associated in his own person with the history and trials of the democracy of Berks. For half a century he has published the German paper of that county, the organ of its ever reliable democracy. John Ritter stood immovable as the hills in support of the Proviso. When others deserted, he remained firm, and I have yet to learn that the democrats of Berks have repudiated him. This father and ancient servant of the party, will be surprised to learn from the Albany Argus that he has been rejected and cast out of the party fold—that his old age is dishonored by treason, and the desertion of the faith of his fathers. I repeat that it is not my purpose to identify myself with either of the divisions in this State; but this much I will say, that if I were a resident of New-York, and allowed to take part in your affairs, I would not sail under the banner of this man, Croswell; I would not dance when he fiddled. The attacks of one who has assailed every advocate of the people's rights—who struck at that bold reformer, SAMUEL YOUNG—who pursued SILAS WRIGHT to his grave—and who now selects for his target A. C. FLAGG, a man distinguished for his integrity—the assaults of such a man have little power to harm. In my own case I am disposed to regard them as tributes paid to my integrity—as substantial proof of good character.

It is made a ground of complaint by some that the Proviso was introduced out of season. By others that its design was to embarrass the administration—that it had its origin in a political intrigue for a Presidential candidate in 1848. I have been taught that the best time to do a right thing, was the first time you had an opportunity. The history of the introduction of this measure into Congress is brief. The occasion which called for it, arose but a few hours before the adjournment of the first session of the late Congress; which took place at 12 o'clock M. of Monday the 10th of August. On the Saturday before, the message of the President, asking that two millions be placed at his disposal, was received and read in the House of Representatives. It was the subject of general remark and speculation.—That day at dinner, the conversation turned upon it; in which, Robert Dale Owen of Indiana, Robert P. Dunlap of Maine, Jacob S. Yost of Pennsylvania, and myself, took a part. I remarked that it was clear, that the two millions asked for by the President, was to be paid, if paid at all, as the first installment, of purchase money, for large accessions of territory from Mexico to the United States; and then declared my purpose, in case Mr. M'Kay, (the chairman of the committee of ways and means,) should bring in a bill, to move an amendment, to the effect that slavery should be excluded from any territory acquired by virtue of such appropriation. Mr. Owen objected, and said he would make a speech against it. Gov. Dunlap and Mr. Yost approved of such an amendment, and advise me to adhere to my purpose. If any thing of the kind had been suggested before the house took a recess for dinner, I cannot, and I have tried to do so, recollect it. I would not, however, say that it had not. After dinner, in front of the hotel, I had further conversation with several members. Those that I now recollect, were Mr. Grover of New-York, Mr. Brinkerhoff of Ohio, and Mr. Hamlin of Maine. We agreed to advise with our northern friends generally, when we re-assembled in evening session, and if the measure met with their approbation, that it should be pressed. We did so, and so far as I heard, northern democrats were unanimous in favor of the movement. When the bill was introduced, or called up, several gentlemen collected together, to agree upon the form and terms of the proposed amendment. I well recollect that Mr. Rathbun, Mr. King, and Mr. Grover of New-York, Mr. Brinkerhoff of Ohio, Mr. Hamlin of Maine, and Judge Thompson and myself of Pennsylvania, were of the number, if we did not constitute the entire group. Some were engaged in drafting an amendment, myself among the number, and several were submitted; all of which underwent more or less alterations at the suggestions of those taking part in the business going on. After various drafts had been drawn and altered, the language in which the amendment was offered was finally agreed upon, as the result of our united labors. It is but justice to Mr. Owen to say, that at no time did he object to the principle involved in the Proviso, but ever declared himself in its favor. I rejoice to see that he has taken up his accomplished and powerful pen in vindication of Free Soil and Free Labor. I sincerely regretted his

defeat in his recent congressional canvass.—He was an honor to the West, and one of the ablest among the many able men in the late Congress.

I have given a brief history of the Proviso and its introduction into Congress. Previous to its being moved, I never heard the suggestion made, that it would embarrass the Administration. We did not then know that the Administration desired to plant slavery on free soil. It is only recently that this hateful policy has been boldly put forth. The letter of the Secretary of State to the Democracy of Berks County, was the first official declaration that this Government was to be prostituted to such unholy purposes—purposes as revolting to the spirit of the age, as hostile to the genius of our institutions, as abhorrent to every feeling of justice and humanity, as would be an attempt to revive the foreign slave trade.—During the whole progress of the introduction of this measure into Congress, I never heard the name of Silas Wright, or that of any other candidate for the Presidency mentioned. We did not stop to calculate what effect it was to have upon the Presidential aspirants, nor upon ourselves.—As to both, we were utterly indifferent. The time had come when a great principle was to be asserted. To hesitate was to abandon it, and Presidents and the Ministers of Presidents were not thought of, or if so, not cared for. It was an overweening jealousy on the part of the enemies of that great and good man, Silas Wright, that made them see in this movement, a design to elevate him to the Presidency. He wanted no Proviso to fix him in the hearts of his countrymen. Had he lived, I believe he would have been made President by the almost unanimous voice of the people of the free States.

I am not so weak as to be driven from my purpose by the cry of a servile press, that in urging forward this measure of Freedom I am opposing the administration. I am not so ambitious to be classed among its supporters, that I will sustain it in a policy clearly wrong. My constituents have stronger claims upon me than any administration can possibly have. I supported the leading measure of President Polk's administration, not, however, out of subserviency, or a desire especially to please him, but from convictions of duty, and a high sense of my obligations to my constituents. In my first election, I proclaimed my uncompromising hostility to the Tariff of 1843. I stood pledged before my own people to vote for its repeal, and did so out of respect to that people and my own sense of justice and right. I was resolved then, as I am now, to be faithful to my own conscience and my own people—to be true to them who have been true to me. I sincerely regret to differ with the President; but will any man tell me how I can avoid it when the President differs with me?

It is not the purpose or the object of the Proviso to encroach upon the rights of the South. It does not propose the abolition of slavery, either in States or in Territories, now or hereafter. Its sole object and end is, to protect free soil from the unlawful and violent aggressions of slavery. Shall the government of this Republic, by the extension of the Missouri Compromise into free territory, give legal existence to slavery? Shall it exert its power to overthrow the existing fundamental law of freedom, that now binds the soil, and establish and legalize slavery in its stead? These are the questions, and the only questions, involved in the Proviso. We stand upon the defensive. We protest against such a perversion of the power of this government. We invoke its aid to maintain the existing law of Freedom, and this we are told is unconstitutional. The men who have so told us have been looking at the political chess-board instead of reading the constitution. We pledge ourselves to abide by all the compromises of the constitution—to maintain the reserved rights of the states; but we demand the observance of Freedom's law—we plead the inviolability of free soil. We invade no existing rights; we in no way interfere with slavery, further than to resist its aggressions upon free soil. We plant ourselves upon free territory—we take our stand upon the outposts of Freedom, prepared to resist, and I trust, to resist to the death, the encroachments of unlawful and aggressive slavery. Is this unconstitutional? May we not preserve the free soil of the country for the homes of free-men and their posterity?

Again, the Proviso is assailed by northern dough-faces as an idle, harmless abstraction.—Would it not be well to inform the south of this fact? Her eminent statesmen, who have been supposed to understand abstractions tolerably well, cannot be apprised of the innocent and harmless character of the Proviso. They would not become so strongly excited as to threaten a dissolution of the Union on a mere idle abstraction. In charity their ignorance should be enlightened. Will not Mr. Ritchie, and the government presses of the North, embark in this labor of love, and cease their

denunciations of those who seek to make the Rio Grande what Jefferson and the men of the South made the Ohio, a barrier over which slavery cannot pass? The Proviso and the Ordinance of 1787 are abstractions, alike in their character and their consequences. What stopped slavery on the south bank of the Ohio? What prevents its ~~crossing~~ an imaginary line beyond the Missouri, the line of 36 deg. 30 min. N.? The will of the nation expressed authoritatively in legislative enactments.—Like these enactments, the Proviso proposes to erect a barrier against the advance and extension of slavery; but, unlike these, it erects that barrier on *free soil*. It has ever been the policy of this government to restrict Slavery within given and prescribed limits. This was the platform upon which we set out. The whole of the north-western territory, embracing every foot of land over which the nation had control, was at an early day sealed up against Slavery. In the Missouri compromise, also, further restrictions were imposed upon Slavery. Louisiana was purchased of France, and at the time of the purchase the law of Slavery extended over it. The Missouri controversy was not a struggle to maintain the law of Freedom, but to abrogate the law of Slavery. Free territory was not then, as now, to be protected from the aggressions of Slavery, but Slavery was driven back from the limits it had lawfully occupied. The demand now made is without precedent in our history. Heretofore limits have been set, over which Slavery should not pass; now the law of Freedom is to be annulled to make room for its extension. This is the arrogant and insolent demand made upon us, and made in a tone of threatening defiance. The South *will not* yield, therefore the North must. The North *shall* yield! This is the attitude of insulting defiance assumed by the South. Shall we yield? NEVER. God forbid! Are we so tame, so servile, so degenerate, that we cannot maintain the rights of a free soil, and a free people? Where is the spirit of our fathers? Are *we* Slaves that, knowing our rights, we *dare not* maintain them? I hold free soil as sacred as free men, and, so help me God! I would as soon submit to have the chains fastened upon the free limbs of our people, as to surrender their rightful inheritance to the demands of the Slave power. Let us hurl back the defiance of the South, and in a voice of thunder proclaim that the North will not YIELD. Come what may come—be the issue life or death, the North will not yield.

The policy of our fathers, in setting up limits against the progress of Slavery, should not be departed from. It is this policy alone that can save the Republic from speedy and overwhelming destruction. Slavery has within itself the seeds of its own dissolution. Keep it within given limits, let it remain where it now is, and in time it will wear itself out. Its existence can only be perpetuated by constant expansion. It will exist so long as it is profitable to the master; and the value of the slave can only be maintained by constantly enlarging the field of his labor. Slavery is only profitable, in the cultivation of those staples where constant employment is given to a full force of laborers. A planter with a hundred slaves and a thousand acres of land cannot embark in the system of agriculture pursued at the North. He cannot raise corn and wheat, for the reason that it takes but a few weeks' labor to put in such crops, and then little remains to be done until the harvest. The support of his slaves during this long period of idleness would eat up the entire crop. It is only where constant employment is given to his full force that he can make slave labor profitable. This is done in the cultivation of cotton, tobacco, sugar and rice. But we all know that a succession of crops, followed year after year, will impoverish the soil, and ultimately exhaust it. Thus the planter finds his products constantly diminishing, at the same time that his laborers are multiplying. At the end of 15 or 20 years his slaves have doubled and his soil become exhausted. He cannot stop to regenerate and renew it by the application of manures and a different system of cultivation. This is a work of time, and before it could be accomplished his slaves would eat up the land itself. He must abandon his worn-out land for new and virgin soil, or release his slaves. What is true of the single planter holds equally true of the whole system. The aggregate field of slave labor is constantly becoming more circumscribed by the exhaustion of the soil at the same time that slaves are rapidly increasing. These causes, if permitted to exert their legitimate influence, and not retarded in their operation by an extension of slave territory, will, at no distant day, put an end to slavery and all its concomitant evils. It was to such results that the "great men of the South, in the great day of the South," looked with anxiety and hope. That slavery should not escape its early doom by an extension of its borders they sealed up against it, by the Ordinance of 1787, the entire territories of the nation.

Now the unlimited extension and eternal perpetuation of slavery has become the leading, if not the "*one idea*" of the South.

In the agitation of this great question, affecting as it does the remotest posterity, we are gravely told, that we are dividing the democratic party. It is the mission of that party to elevate man, to vindicate his rights, to secure his happiness—and shall its progress be averted? Shall its high aims and purposes be defeated, because Slavery commands a halt and refuses to make farther advance? Must we lay down our weapons of truth and justice, and stand still at the bidding of a few thousand Slaveholders? If the South cannot keep pace with the age, and the progress of Democratic reform—if she will hug to her bosom delusions and errors, fatal to her prosperity and peace, let her not drag us down from the high destiny before us. Let our motto be "onward and upward," until the great mission of Democracy shall be fulfilled, and man's dignity and rights everywhere respected and acknowledged. This charge, made upon us, of dividing the party is not true. If the party is divided, the South is wholly responsible for such division. It is the South, that has attempted to make this question of the extension of Slavery into free territory, a party test. She it is, that has proclaimed through her press, and in her conventions, that she would hold no fellowship with the friends of Freedom. The South was the first to declare, that she would support no man for the Presidency, who would not openly repudiate the principles of freedom, asserted by the Proviso. Upon this question the South declares she will merge all party differences—all party distinctions. The South, and not the North, has made this sectional issue. She has forced it upon us. We have no alternative left. We must accept the issue tendered, nay, forced upon us, or abandon our principles and become recreant to our Country and to mankind. But the democracy of the North is divided. Who divided them, and what influences worked out this division, when a few months ago, there was entire union of sentiment and action upon this question? The Democracy of the North were united, and free utterance was given to the voice of the party, in the unanimous support given to the Proviso by the democratic members of Congress, from the free states. Eleven of the Legislatures of the free States, passed in quick succession, resolutions, mostly or quite unanimous, asserting the rights of free labor and the integrity of free soil; and in this expression of Congress and the States, the whole people of the North, united in one unbroken response. What malignant influences have been at work to divide this harmonious party? Where is the magician, with spells so potent, as to silence the press, and stifle the free expressions of a free people? Powerful indeed must be that magic, that can divide friends, and in the midst of freedom raise up an army to fight the battles of slavery. Its charms seem to have a peculiar influence over men in high places and those who, through the press, sway popular opinion. The wand of the magician moves over the Capitol of the Nation, and lo! this representative deserts the standard of freedom, and takes his place in the ranks of its enemies. One falls to the right and another to the left, until slavery triumphs, and freedom is trampled under foot. Again the magician moves his wand, performing the vast circuit of the Union, and the press no longer gives utterance to the voice of the people—the sentinel upon the watch-tower, gives no alarm of the enemy's approach. The gates of the citadel are left open, that the cause of liberty may be betrayed. This is no fancy sketch—it is truth. I warn the people to beware of the subtle and powerful influences at work to betray them. Every firm advocate of their rights will be crushed if the strong arm of power can crush him. Your strong men will be assailed—the weak seduced and the venal corrupted, until, if it were possible, the people will be left without a champion to do battle in their cause. Still I am not without high hopes—my reliance is upon the people. When they shall fully appreciate the mighty interests involved in this great struggle between Freedom and Slavery, they will arouse themselves, and taking their interests in their own keeping, teach those in high places that they are the servants, and not the masters of the people.

#### SKETCH OF THE REMARKS OF JOHN VAN BUREN,

*At the Democratic State Mass Convention, held at Herkimer, October 26th, 1847.*

(As Reported by the New-York Herald.)

Mr. VAN BUREN said: Fellow democrats and fellow traitors [cheers and laughter] the democracy of this State have assembled in Mass Convention, to "avow their senti-



ments, and consult as to their future action ;" and it is a novelty in the history of political action that this conduct, on their part, should be denounced as treason. The extraordinary proceedings of the Syracuse Convention have led to this meeting ; and certainly, no occasion could offer which more imperiously demanded it. It is claimed that the voice of the democracy of the State, which should have been heard at Syracuse expressing its preferences as to candidates and the principles of its faith, has been stifled ; and that individuals have been put in nomination, who, the election for delegates showed, were not the choice of a majority of the democratic electors, and that the sentiments of the democracy, in regard to one of the most important questions ever presented to a free people, have been fraudulently suppressed. Under such circumstances, he is a bold man who would assume that it is treason to the party to call the electors together in their primary capacity to avow their sentiments, and consult as to their action. In his judgment, a failure to do both would be treason itself. Mr. Van Buren said he would not detain the convention by a particular reference to the transactions of the Syracuse Convention. He had taken some pains to lay before the public a minute narration of the acts of that body, and he had every reason to believe these acts were fully understood and appreciated. Without going into any controverted question of fact, it was sufficient at present to say, that this convention had unanimously come to the conclusions which were stated in the address which had just been adopted, and in which he fully concurred. They were thus set forth. (See preceding address, 2d and 3d paragraphs.)

The democratic party of the State, then, were left within one week of an important State election, without any regularly nominated candidates for their suffrages ; and in pursuance of the objects for which they had assembled, he should declare his views in regard to one of the questions now engaging the public attention, and also indicate the line of conduct he intended to pursue. The proposed extension of slavery to lands in which it did not now exist, was a prominent topic of public discussion. The address which they had adopted, set forth fully the objections to such extension : and these objections had been ably and eloquently reinforced by the distinguished speakers who had preceded him (Mr. Wilmot, of Pennsylvania, and Mr. Cambreleng, of Suffolk.) He should add but little to what had been already so forcibly stated. ("Go on," "go on.") If, said Mr. V. B., anything could add to the inherent objections to the proposition itself, it may be gathered from a hasty view of the condition of the public mind at the present time. What, said he, is the great feature of the age in which we live ? It is freedom and progress. The shackles in which commerce has been bound are falling before the enlightened reason of the day. England, where the system of restrictions of trade was fortified by stronger interests and sustained by a more settled policy than in any other country, has recently undergone a thorough reform. (Cheers). The ancient political parties of that country, which have in former days divided its people, have been merged in the discussion and disposition of this subject. Those distinguished leaders of opposing parties—Peel and Russell—have been brought by it to harmony and concert. Not England alone, but France, Austria, Holland, Belgium, and Prussia, have participated in this great effort for commercial freedom. No form of government has been exempted from the liberal opinions of the day.

The cries of famishing millions have thundered at the walls of the Vatican ; and the Pope, so soon as he was released from the restraints of a neighboring power over him, has stood forth as a friend of free trade. (Tumultuous cheering.) In our country the tariff of 1842, has fallen before the exposure of its injustice, and been made to yield to the more liberal provisions of the existing law. The great leader of the democratic party in our own State, whose early habits and position had probably inclined him to the doctrine of protection, and who had been compelled by the force of overruling circumstances, wholly independent of the acts themselves, to sustain, by his vote the tariff acts of 1828 and 1842, retiring from public life to the peaceful pursuits of agriculture, and to the reflection and study that attended them, gave to his fellow-citizens the result of that study and reflection in the admirable address which was read at the recent Agricultural State Fair, at Saratoga Springs—an address which was at the same time the most clear and compact production of Mr. Wright's pen—his most precious legacy to posterity, and an enduring monument to his memory. Freedom of Trade, then, was eminently a characteristic of the age, and was fast becoming the settled policy of the world. He would not stop to advert to the advances which had been made in independence of opinion and of action ; and in reference to the existence of human

bondage, he would simply remind them that the slave trade had been declared piracy by the Christian world, and that Great Britain, at an expense of £20,000,000, had emancipated the slaves in the West India colonies.

This was but a glance at the position of things. And what did it reveal? Freedom of trade, of thought, of action, and of mind, was stamped in characters of living light upon the face of the civilized globe. (Hear, hear, and cheers.) Was this a time for the State of New-York, which had long since abolished human slavery in its own borders, to invade a free country through the action of the General Government, for which it was in part responsible; to expend its blood and treasure in subjugating that country, and to plant upon its soil the curse of slavery? To hold a human being in bondage; to buy and sell his body, was and must be repugnant to the ordinary sensibilities of every intelligent man. When such a right exists within the limits of a sovereign State, a member of the confederacy, the constitution protects it from our interference. We had always respected this constitutional guaranty; but when we are asked to go further, and to propagate this evil in lands now free from it, it seemed to him no less unreasonable and unjust than would be a proposition to again legalize the slave trade. It was abhorrent to our feelings and sentiments, and every principle of our nature called upon us to resist and defeat such a project. (Cheering.) It seemed to him that a moment's reflection would satisfy our southern brethren that the electors of New-York were unalterably opposed to a scheme so revolting to their education, habits and feelings, and so directly opposite to the previous action of the State itself, and the spirit of the age. He thought the address adopted by the convention stated their views with great mildness and forbearance when it said:

"We close this branch of the subject by saying to you, that the principle contained in the foregoing resolutions, which the Syracuse Convention refused to adopt, is one which it is the duty of the New-York Democracy to avow and maintain, and which we believe nearly the whole civilized world will concede and approve; and we would respectfully apprise our southern brethren, that although our climate or disposition may not excite in us a warmth and strength of assertion equal to their own, our resolution is none the less fixed and immovable."

But, said Mr. V. B., it is with no ordinary feelings of surprise that we have observed repeated efforts in the columns of the *Washington Union*, to prevent the assembling of this Convention, and to control its action. Mr. Thomas Ritchie, the editor of the government organ, protests against the principle we avow, and declares it to be an interpolation into the democratic creed. Mr. Ritchie was a gentleman whom he had the pleasure to know personally, and for whose accomplished manners, social disposition, personal integrity, and experience and skill as a political editor, he had great respect; but in his judgment, Mr. Ritchie wholly misapprehended the relation in which he stood to the democracy of New-York, when he undertook to teach them when and where they should assemble, what they should say, and what they should do. (Great cheering.) If they desired a tutor in these respects, they would at least ask the privilege of examining his qualifications for themselves. The organ of the administration, during the two terms of General Jackson, and the one of his successor, had been under the charge of Francis P. Blair. Mr. Blair was an original and forcible writer, a true democrat, and a fearless and an honest man, perfectly independent in his personal condition, free from embarrassing connections of any kind, and as a natural consequence, wielded a vast influence over public opinion. The strength and general success of the democratic party whilst he was at the head of the democratic press of the Union, were in no inconsiderable degree owing to the ability and standing of Mr. Blair; and Mr. Van Buren did not find any thing in the career of the party since Mr. Ritchie had taken his place, which was calculated to invite an extension of the exertions of the latter beyond his proper sphere. The political history of a few States might be referred to as examples. Arkansas, in which formerly a whig could hardly be found with a search-warrant, (laughter) now sent a Federal representative to Congress. Tennessee, which immediately after the election of President Polk elected a democratic governor, has relapsed into the arms of federalism, and that, too, after an outlay upon it of an amount of patronage, which, if patronage could effect it, would have converted Massachusetts itself to democracy. The democracy of Massachusetts, which in former days exhibited a vigor, energy and courage that commanded the respect of its sister States—which could nominate Marcus Morton for Governor, and run him for thirteen successive years without putting up a new man, until victory crowned their exertions in

the fourteenth—now rejects a resolution for freedom, and the party of progress supports a “fixed fact” for Governor. Pennsylvania alone, with a true democrat in her executive chair—with a phlegm and courage to resist the cries of new men, and unappalled by the threats of a dictatorial minority—with the author of the white man’s resolution, ably and resolutely holding aloft on her soil the banner of freedom—maintains her ancient republican character, and sends to us greeting, with one of her old fashioned democratic majorities. (Cheers.) There is nothing, said Mr. Van Buren, in the condition of the republican party, under the auspices of Mr. Ritchie, that tempts us to seek his advice or protection. He protests against our refusal to extend slavery, as an interpolation of a new article into the democratic creed, and speaks of the articles of our faith as if they consisted of a given number adopted, as it might be, by a Synod of Dordrecht, and which could neither be increased or diminished without re-assembling the Synod.

If the State of New York stood still, as do some of the States which are suffering under the withering blight of slavery, the doctrines of 1798 might compose our whole catchecism; but those doctrines valuable and cherished as they are, may require expansion to adapt them to the condition of two millions and a half of freemen inhabiting our extended territory, and challenging the admiration of the liberal and humane, by the strides they are making in the development of intellectual and physical wealth, in moral and social improvement, and in successive reforms and revolutions of their government itself. But Mr. Ritchie has before protested against interpolations in the democratic creed. When nullification reared its crest and threatened a dissolution of the Union, Mr. Ritchie protested against the proclamation of Andrew Jackson, put forth to save the Union, and assisted in depriving that venerable patriot of the aid of Virginia. Mr. V. B. would not aver that all the principles contained in the proclamation, as it was at first understood, were strictly orthodox; but he should be unwilling to refuse to serve on a sheriff’s posse, because the process recited a sentiment in which he did not concur; and he should have been equally reluctant to withhold his support from a republican President and true hearted patriot, at an imminent crisis in the history of the country, because a critical examination of an indispensable public act, disclosed a possible deviation from abstract democratic faith. The proclamation of Andrew Jackson declared as follows:

“The laws of the United States must be executed; I have no discretionary power on the subject. My duty is emphatically pronounced in the Constitution. Those who told you that you might peaceably prevent their execution, deceived you; they could not have deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they knew that such opposition must be repelled. Their object is disunion; but be not deceived by names; disunion, by armed force, is treason. Are you really ready to incur its guilt? If you are, on the heads of the instigators be the dreadful consequences; on their heads be the dishonor; but on yours may fall the punishment; on your unhappy State will inevitably fall the evils of the conflict you force upon the government of your country. It cannot accede to the project of disunion, of which you would be the first victims. Its first magistrate cannot, if he would, avoid the performance of his duty. The consequences must be fearful for you, distressing to your fellow citizens and to the friends of good government throughout the world.

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“Fellow citizens of the United States, the threats of unhallowed disunion—the names of those once respected by whom it is uttered—the array of military force to support it, denote the approach of a crisis in our affairs, on which the continuance of our unexampled prosperity, our political existence, and perhaps that of all free governments may depend. The conjuncture demands a free, full, and explicit enunciation, not only of my intentions, but of my principles of action; and as the claim was asserted of a right by a State to annul the laws of the Union, and even to secede from it at pleasure, a frank exposition of my opinions in relation to the origin and form of our government, and the construction I gave to the instrument by which it was created, seemed to be proper. Having the fullest confidence in the justness of the legal and constitutional opinion of my duties, which has been expressed, I rely with equal confidence on your undivided support in my determination to execute the laws—to preserve the Union by all constitutional means—to arrest, if possible, by moderate but firm measures, the necessity of a recourse to force; and if it be the will of Heaven that the recurrence of its

primeval curse to man for the shedding of a brother's blood should fall upon our land, that it be not called down by any offensive act on the part of the United States."

Mr. Ritchie, after approving cordially of much of that paper, and hoping much from the persuasion and arguments, protested, the very day he made it public, as follows:—"We regard the right of secession in the same light as Mr. Jefferson does in the memorable passage we have quoted above, and we contend that we ought to 'separate from our companions only when the sole alternatives left are the dissolution of our Union with them, or submission to a government without limitation of powers.' And we also disagree with the proclamation as to the nature of the federal compact. The States, though they have transferred certain specific powers to the federal government, have the right to pass upon the manner in which they may be exercised, and to interpose, as Virginia did in '99, for arresting the progress of the usurpation." The objections thus directly made to the views of the President, arrested the attention of Virginia politicians. Mr. Ritchie, whilst denying the right of nullification, insisted on that of peaceable secession—whilst refusing to North Carolina the power to declare an act void and resist its execution, yet claimed a right of state interposition; whilst conceding that certain specified powers had been transferred to the federal government, he claimed for the States the right to pass upon the manner of their exercise, and all the while himself admitted that no such question necessarily arose between the United States and South Carolina. These arguments were too subtle for ordinary apprehension. The proclamation became a subject of discussion in the Virginia Legislature. It was made public on the 11th December, 1832, and on the 17th January, 1833, Mr. Ritchie announced to the democracy of the United States, who saw the Union on the verge of dissolution, and were awaiting the action of the representatives of Virginia, the progress they were making.

"THE QUESTION.—We cannot (said Mr. Ritchie) yet cry out land! land! (Italia! Italia!) Yesterday, indeed, Mr. Brown's resolutions were adopted by a majority of one, (very much modified from their original draft—now premitting *secession* altogether, and speaking a more pointed language against nullification.) But the question is not yet settled. They will be again taken up, &c., discussed one by one, &c., modified, &c. No man can positively predict the *denouement*." [Loud laughter.]

Mr. Van Buren was unable to say what precise declaration of faith the Virginia Legislature made; he recollected that Mr. B. W. Leigh, an eminent whig of Virginia, was sent to entreat with South Carolina—a bill was introduced into Congress to sustain by force the execution of the laws; his impression was that Mr. Ritchie did not support that bill. In September following Gen. Jackson removed the public deposits from the bank of the United States. He believed Mr. Ritchie did not approve that act. The elections were held in Virginia in the spring. The legislature elected in 1833, during the pendency of these discussions about the proclamation, instructed the Senators of their State to use their exertions to procure the restoration of the deposits. Mr. Rives resigned in February, 1834, rather than obey these instructions. His official term would have expired in March, 1835; the same B. Watkins Leigh was chosen to fill the vacancy. Mr. Rives appealed to the people, at the election in the spring of 1834, and was defeated. The legislature assembled in 1835, and re-elected Mr. Leigh for six years. This was the "*denouement*;" and whatever Mr. Ritchie might have been able to see, the democracy of Virginia had no difficulty in crying "Land! land!" They were hard aground! A leading, able, and bitter federalist sat by the side of John Tyler in the Senate of the United States; they together represented Virginia, and opposed and assailed the patriot Jackson—(cheers)—they labored to restore the people's treasure to the people's most powerful foe; they usurped the power of impeachment, and condemned without a hearing, as an usurper, a champion of the people's rights, and a war-worm defender of their liberties; they refused even to record his Protest against senatorial outrages. In the severest contest that the Republican party ever passed through—in the crisis of the Union's fate—in the desperate and convulsive death-struggle of the Bank of the United States—the protests of Mr. Ritchie, more than all other causes combined, threw Virginia, a naturally republican and patriotic commonwealth, on the side of disunion and federalism. It was an amusing sequel to these disasters, that in 1837, when the Union was saved, and the bank was conquered, Mr. Ritchie visited Washington; and after a brief conversation with Gen. Jackson, became satisfied that he had misapprehended the views of that eminent man. It was to be regretted that this explanation had not been sought years before, when it might have been followed by propitious consequences—(Terrific applause).

Again, when the successor of Andrew Jackson recommended the Independent Treasury Bill, and the democratic party desired to make, and did make it an article of democratic faith, Mr. Ritchie again protested against the interpolation, and Virginia again swung from her democratic moorings and fell into the line of opposition.—But when the annexation of Texas was made by the Baltimore Convention, in 1844, a test of democracy and a cardinal article in the creed; when the nomination for the presidency was made to turn almost upon this single question, and the election to take the same direction, Mr. Ritchie not only made no protest against the interpolation, but he and his associates have denounced as little less than traitors, those who, whatever may be thought of the wisdom of their action, endeavored with undoubted honesty to separate this issue from the Presidential canvass, and to secure for Mr. Polk the votes of all those democrats who, like themselves, doubted the propriety and justice of such immediate annexation. (Loud cheers and cries of "Hear.") These protests, therefore, were not new to the democracy of New-York, nor had their nature and consequences been unobserved; they would not be heeded now; and he took the liberty of adding, as an humble member of the legal profession, that they were a species of foreign protests, which, by the laws of New-York, had no validity within her limits. (Laughter and applause.) In his humble judgment, Mr. Ritchie, when interfering with their action, and reprimanding their conduct, had not duly reflected upon the vital importance, in all its bearings, of the question of extending slavery. It reached above and beyond the party divisions of the day; he should lift his eyes from the tow path of party, and look out upon the ocean of freedom; he should lay aside his democratic jews-harp, and listen to the notes of the bugle of liberty; (Immoderate laughter;) he should drop his party pop gun, and hearken to the cheers of millions of energetic and independent men, conquering a country and planting upon it a nation of freemen. Acting thus, he would exhibit an elevation of purpose, and dignity of intellect, qualifying him to lecture the democrats of New-York. (Cheers reverberated throughout the building, and Mr. Van Buren paused. Cries rose from all directions, begging him to go on.)

Mr. V. B. then alluded to other grounds of opposition. It had been suggested by a Southern statesman that it was unconstitutional to prohibit slavery in newly acquired territory. This suggestion, and the grounds on which it rested, necessarily denied the constitutionality of the ordinance of 1787, and the so-called Missouri compromise. It was unworthy of a serious refutation. Mr. V. B. commented further on this position, and added: We have followed these Southern lights to the verge of the constitution. If we pursue these Will o' the Wispes—(laughter)—further, we are in danger of being mired, and irrecoverably lost. For himself, he should rather be guided by the light of civilization, by the light of humanity, the light of freedom; in a word, if he might be pardoned the figure, by the Northern lights. (Cheers.) But, said Mr. Van Buren, we are charged with acting with the whigs. He had not observed that the Southern democrats had alarmed Mr. Ritchie, by acting with the whigs on this question; the democrats of Alabama, Georgia, and South Carolina, had not been reproved for this course, according to his recollection, Mr. Ritchie commended this fraternization in Virginia. Why was this unity of sentiment on the part of democrats of New-York, not only with the whigs, but the civilized world, so vexatious to Mr. Ritchie? He submitted with great respect, that Mr. Ritchie should, at least, extend to the New-York democracy the same credit for sincerity and integrity, when they resisted the extension to free soil of the traffic in human flesh, as he claimed for himself when he faltered and fell from the side of Jackson, in his struggle to preserve the Union and to protect the people from the bank, or when he resisted and opposed his successor in his efforts to remove the people's treasury from stock jobbers and money changers, and to declare and establish its independence.—Mr. Ritchie's past life should admonish him to be indulgent towards those who act with the whigs. (Hear, hear.) But Mr. Ritchie was not the only editor who recoiled from the idea of acting with the whigs. Mr. Edwin Croswell, of the *Albany Argus*, had taken fright at the same spectre? How did Mr. Croswell stand on this point? Did Mr. Croswell act with the whigs against Silas Wright? (Yes, yes.) Did he act with the anti-renters, and secure the nomination by them of John Young? (He did, he did.) Did he send Samuel Strong, a whig, as a delegate to nominate officers for Gov. Wright to appoint?—Did he hire Strong this fall to carry the Ninth Ward Caucus? Strong, a whig, a resident of a different ward and another Assembly District! Let Strong's affidavit answer:

"*Albany County, ss.*—Samuel Strong, being duly sworn, deposes and saith, that

he resides in the Tenth Ward in the city of Albany; that he knows Edwin Croswell, the senior editor of the *Albany Argus*. That several times during the past week he received messages from the said Croswell, through James R. Rose and others, requesting an interview with this deponent. That on Wednesday last he was requested by said Rose to meet Mr. Croswell at the office of Rufus W. Peckman, Esq., on that day at 3 o'clock, P.M. That he went to said office, at such time, and there met Edwin Croswell, Rufus W. Peckman, and others. A hint was given to Mr. Peckman, and he smiled and left the office, the others remaining. Mr. Croswell then commenced a conversation with this deponent in relation to the meeting to be held at the Ninth Ward the next evening. He said that "they (meaning the *Argus* section of the democratic party) would have the State Convention, and that this would be the end of the barnburners;" that he "wanted to carry the Ninth Ward—he would rather carry that than any other ward in the city; and that he wished this deponent to assist him in doing so." "The ward must be carried, no matter what it cost." He then said that "he had a roll of one dollar bills in his pocket," which he handed to this deponent, and which this deponent found afterwards to contain twenty dollars. He then said that "deponent must see Parry the next morning, and there would be more funds provided." He further said "that Mr. Sherman (Watts Sherman, Esq.) intended to Gothicize his house in Washington street, and that he had already spoken to him on the subject, and that this deponent should have the contract for doing the same. That it would take two years to do the work, and that this deponent should do the same by day labor." Mr. Croswell then asked one of the persons present, "how much this deponent should pay the men for attending the meetings." He replied that he supposed about fifty cents a piece. Mr. Croswell then said that he (this deponent) "could get them from any part of the city, it made no difference—only they must be there in time to have the room blocked up." He told this deponent "to get the key and keep it locked to prevent others from getting in." Mr. Croswell and this deponent then conversed about the manner of conducting the business of said meeting; agreed that Mr. Hiram Perry should be chairman, &c., &c. This deponent then said to Mr. Croswell, "Suppose John Van Buren gets speaking again?" Croswell replied, "I will take care of that—we will have no speaking to-morrow night—I told you (this deponent) to pull him down at the other meeting." This deponent and Mr. Croswell conversed further in relation to hiring music, &c., &c. And further this deponent saith not.

SAMUEL STRONG.

Sworn before me the 28th day of September, 1847.

J. M. SETTLE, Com'r. Deeds."

The facts above stated, disgraceful as they were, Mr. Croswell never dared to deny. If he should, Mr. Van Buren would produce a witness whom Mr. Croswell little expected, and who would satisfy Mr. C. that for the second and worst time "we had caught our foot in the grating." (Vociferous laughter.) If it was regular to act with the whigs by hiring the leaders at \$20 a head, and the rank and file at 50 cents, gratuitous association could not be irregular. If the close affiliation and concert which, by whig force, locked, packed and blocked the democratic committee rooms, and excluded the electors from their own meeting, silencing their speakers, was democratic, a coincidence of sentiment on a single point could not be censurable. If the usages authorized the letting of a neighbor's house, to be Gothicized, for two years, by day's work, as a consideration for whig help, they could not forbid an agreement on a single great principle, which was founded on no contract or job. (Laughter.) The charge of acting with the whigs was well calculated to alarm republicans; it properly should; for nine times out of ten those who acted with the whigs acted wrong. But there had been occasions when the whigs had come to the aid of democrats, without the surrender of principle on either side, and with signal advantage to the country. Such was the aid given to Gen. Jackson, rebuking disunion, and enforcing the laws. Such was the assistance rendered to Michael Hoffman, William C. Crain, and their associates, in calling a Convention to amend the Constitution, in remodelling that instrument, and in making it the organic law of the State. Such was the support given to David Wilmot, and his associates, on the floor of Congress, and to Albert Lester, and his associates, in the State Legislature, in the noble enterprise of consecrating free soil to freedom. And if the great principles at stake were to be overlooked, and party consequences alone were to be considered, who, among us, was prepared to say, in the face of past experience, in this State, that the great democratic party of New York,

to which we can alone look for thorough reform or eventual safety, was not invigorated and strengthened by these accessions? Look, said Mr. Van Buren, at Western New York, borne down by anti-masonry; the democrats of Erie, Niagara, Monroe, Orleans, Wyoming and Livingston, were struggling in minorities, ranging from 500 to 3000. Croakers who were unwilling to give the choice of judges, surrogates and district attorneys to the people of the several counties, predicted the perpetual exclusion of democrats from office. How were the predictions verified?

The first election under the new constitution, gave democratic judges to Niagara, Monroe, and Orleans; (the election in Livingston was contested;) democratic district attorneys to Wyoming, Niagara, and Orleans and Erie—Democratic Erie—had made a clean sweep, stepping at a single stride from a minority of two thousand and upwards, to a sound radical majority on the entire ticket; and Buffalo—the Queen City of Western New-York—had united in swelling the tide of democratic victory. These results were noble justifications of unhesitating reliance upon the popular intelligence. No party had ever yet been found capacious enough to swallow the democratic party; it was only necessary boldly to avow the principles by which it could be identified, and fearlessly put forward its true men as their representatives, and ultimate success was certain. He trusted that a little reflection would satisfy those who were handing him over to the tender mercies of the whigs, that he was not acting with the precipitancy and recklessness they imagined; and that the editor who sought to make a whig of him, would be more likely to end by making an ass of himself! (Laughter.) He could not consent to abandon a position he knew to be just, because whigs saw fit to flock to the same standard, any more than he would fly from the face of the Mexicans, because he saw a whig reinforcement wheeling into his line. He was not child enough to be frightened from the path that duty and honor called upon him to take, by having a dry nurse tell him there was a whig *spoek* upon it. (Laughter.) But, said Mr. V. B., we are charged with hostility to the war, and called upon to suppress our opinions and support the Syracuse ticket, in order to secure the prosecution of the war. He felt the force of these appeals last fall, when members of Congress were to be elected. But conservative treachery then not only struck down Silas Wright, but with him all but ten members of Congress from this State. The approaching State election had no connection with the conduct of the war. It was unwise, as well as unjust, to assume that the honor of defending the country belonged exclusively to democrats. It is true that now, as heretofore, a cry had come forth from the same quarter, whence it proceeded in the gloom of the late war, rallying the whig party at this crisis against the administration and against the country. The "peace party in war and the war party in peace," were again seeking to make themselves felt, by withholding supplies from our gallant army, and calling back our troops to an inglorious retreat. This appeal would have met with an indignant rejection, and he did not believe a district in the State of New-York would send a representative (if an election were then pending) to sanction a course so dishonorable and unpatriotic. Our citizens were all but unanimously in favor of prosecuting the war with even greater vigor, and thus securing an honorable peace.

In the mean time, it was folly to deny that now, as in previous contests, gallant men from among our political opponents were rushing to the defence of the country, mingling their blood and laying down their lives with democrats. (Cheers.) The honors of Buena Vista were shared as well by the whig Taylor as the democrat Wool; the accomplished whigs, Cadwallader and Patterson, (recently appointed by President Polk,) and the true democrats and gallant officers, Shields, Pierce and Temple, were equally ornaments of the army. The conquest of the city of Mexico conferred glory alike on the whig Scott, and the democrat Worth. Go (said Mr. Van Buren) to Yorktown and Saratoga, Chippewa and Landy's Lane, and examine the bloody heights of Monterey, and the crimson fields of Churubusco and Mexico, and he imagined a careful analysis would detect, in each and all of these consecrated battle grounds, some spots of pure whig blood. (Cheers.) The courageous whigs, Ringgold and Butler, perished in the campaign with the lamented democrats, Morris and Van Olinda. Side by side with the devoted democrats, Yell and Hardin, fell the distinguished Clay, and he must forget his patriotism, and shrink craven-like from the assertion of truth, who, in the face of these facts, claimed for democrats the entire glory of defending the country and its honor in contests with foreign foes. (Cheers.) For himself, it was sufficient to know that the country was engaged in war, and that our troops were in a foreign

land, surrounded by enemies. He stopped not to inquire into the causes of the war. While it raged he desired to see the entire power of the nation devoted to its vigorous prosecution; and when it was ended the Democracy of New-York would agree, as they now do, that any conquest may be made except a conquest over freedom. (Cheers.) There was nothing he would not do to give aid and efficiency to the prosecution of the war. The animated appeals to others in the *Albany Argus* had led him to believe that Mr. Croswell himself might be of service in Mexico. (Laughter.) If Mr. Croswell would apply for a commission, he (Mr. Van Buren) would sign his recommendation. If Mr. Croswell would assail the Mexicans with the same fury that he had shown towards leading republicans, he should consider that much had been accomplished. (Cheers.) If he would assault the Mexicans with the same venom that he had directed against the independent and deserving democrats who had signed the call under which they had here assembled, he should feel that great progress had been made. (Cheers.) And if he would bring the same address, activity, and malignity to bear, for the destruction of the great Mexican leader, Santa Anna, that he combined for the prostration of the great leader of the American Democracy, SILAS WRIGHT, he should consider the war ended as soon as he enlisted. (Laughter.) But to achieve this consummation, he must first join the Mexicans, and then betray them. (Laughter and cheers.)

Mr. Van Buren had been charged with giving Mr. Croswell too much importance. Fellow citizens, said he, you cannot add to the consequence of a man who could drive from public life into retirement, if not to the grave, a pure, disinterested, and eminent statesman like Silas Wright. Nothing was gained by underrating an enemy; and low as he might estimate Mr. Croswell's veracity, integrity, or democracy, he had the highest opinion of his energy, cunning, and ability. He was the brains of the conservative concern, and thousands of honest democrats were daily deceived and misled by him. The *Argus* was a most insidious and fatal enemy to the cherished men and precious principles of the democratic party, and a concerted and systematic effort should be made to stop the circulation of that paper amongst democrats, and drive its wily and unscrupulous editor out of the State, or into the federal ranks, where he would be harmless. This should be the constant and zealous labor of every true democrat. Its importance was conceded by the eminent and experienced republicans of the State, and in effecting it we should have their approval and co-operation. It might be supposed that these suggestions were dictated, by the continual attacks of which he himself had been the object. He assured his friends it was not so. The open assaults of the *Argus* were harmless, nay, beneficial. It was its false and treacherous friendship that was fatal. Besides, he was not, and by his own wish, never would be a candidate for office. His hopes of distinction or emolument were centered in the pursuit of a profession, agreeable to his feelings, and indispensable to his support. But if he were the most ambitious public man living, he should invite a continuance of the *Argus* attacks on himself. If exhausted ingenuity, or malignity, or fatigued exertion should cause them to lull, he should offer the never-failing inducement of a pecuniary reward, far greater than could be derived from printing legal advertisements for nothing, to prevent their suspension. He should desire this calumny to pursue him till death, (if the *Argus* and Mr. Croswell lasted so long,) and then, perhaps, the columns of the *Argus* would be clad in deep sable, and a notice of him written by the senior editor, would appear, so eulogistic that it was almost a temptation to die for. [Laughter.] Such a display would not exceed in skill or sincerity a memorable instance that might be cited.

Mr. Van Buren said he had been charged with acting under a feeling growing out of the action of the last Baltimore Convention. This was an entire error. That convention presented principles which he could support; and although thousands sustained Mr. Polk with more ability, and wielded in his favor vastly more influence, he appealed to all who were familiar with the last Presidential contest to say, whether any one manifested more zeal, activity, and industry, in behalf of the republican party, at that time, than himself. The extraordinary manifestation of confidence and regard from the democracy of the Union, which induced the choice of a majority of all the delegates friendly to a citizen of New-York, most of them instructed to support him against the competition of several eminent and popular republicans, impressed on his heart a deep sense of gratitude to the democracy of the Union, which no conduct of the delegates themselves could efface. With the democratic party true to the core, their candidate understood to be disconnected with fraud, and also true, and with their principles boldly avowed, he never could hesitate to give them and him a cordial support. Least of all,



was he capable of nursing secret animosities for years, to discharge them, with blind fury, on the heads of innocent men! He was not now engaged in President making. To punish fraud and to resist the extension of slavery, were objects higher than the designation of individuals to fill public offices and receive stipulated wages. [Renewed cheering.] An important State election was just at hand, and we were assembled to avow our principles, and consult as to our action; the former had already been done in an address and resolutions, and with the frankness that belonged to democratic intercourse, he should participate in the latter. A State Convention had been called to assemble on the 22d of February, and to send 36 delegates to a National Convention: of this he cordially approved. It was the usual and proper mode, and of pre-eminent importance at this time, when a systematic effort was making to prostrate the State, and bind it in this era of freedom, a captive to the car of slavery. If their brethren in convention desired to know before nominating a President, the views and wishes of the New York democracy, those delegates would not be rejected: if they did not, those views and wishes would be communicated, at the polls.

The address and resolutions declared the action of the Syracuse Convention to be fraudulent, and not binding. Of course it left every democrat free to support the ticket, or not, as he deemed just. He concurred with the address and resolutions in looking mainly for the security of the Commonwealth, to the restrictions and safeguards of the new Constitution. That instrument deserved the eulogiums that had been bestowed on it. It was our sheet-anchor of safety now. He did not desire to influence the action of a single elector. A vote withheld from the Syracuse ticket contributed so much to the success of the party to which they were all opposed. Each elector was capable of determining for himself the course it was his duty to pursue. He was sure they would discharge the high duty intelligently, fearlessly, and patriotically. (Cries of "we will.") Having fully determined himself what he should do, he did not feel at liberty to withhold from them that determination. He should not vote the Syracuse ticket. He should not vote it, because it was put in nomination by fraud, and he felt that by voting it, he should sanction that fraud. It seemed to him important that the distinction should be learned by those who made it a business to pack conventions, between a fraudulent nomination and a legal election. He should not vote it, because it was not regular. He attached great value to the usages of the party, and had always voted the regularly nominated democratic ticket without a scratch—when there was one. So important did he deem these usages, that if the Syracuse ticket had been regularly nominated, he should have made it a matter of anxious inquiry how far resistance was justifiable, when usages overrode principles. But the Syracuse ticket was irregular. Cheating was no usage of the party. (Cheers.) He should not vote it, because the candidates were not the choice of a majority of the democracy of the State, as the proceedings of the convention to send delegates to Syracuse showed; and in regard to the nomination for Comptroller, those familiar with the democratic sentiment knew that the misrepresentation of it, was more glaring than this test indicated. He should not vote it, because the convention which presented it suppressed the almost unanimous voice of the democracy of the State, in opposition to the extension of slavery to free soil, by force. (Great cheers.)

That suppression is looked upon in and out of the State as the expression of the advocacy by the democracy of New-York of such extension; and the election of the ticket is evidently to be heralded as a verdict against freedom. For rendering such a verdict he never should vote. "If this be treason, (said Mr. V. B.) in the language of an American orator and patriot, "make the most of it." (Cheers.) The consequences must rest on the heads of those who placed the democratic party in such a position. Mr. Van Buren was well aware that open declarations were not the most effectual mode of defeating the Syracuse ticket. He might have remained silent altogether, or, he might have been absent from Albany on election day, or, he might have voted for Orville Hungerford, for *Senator*. (Symptoms of indignation in the multitude.) He chose to do neither. Undoubtedly, the course pursued by the Conservatives last fall, was most sure to be fatal. They publicly professed an intention to support Gov. Wright, publicly urged others to do the same, and then secretly voted against him, and used every means honorable, or other, to defeat him. This was certain death. The candidate went on his way rejoicing, unconscious of danger, and when his body was found dead at the closing of the poles, it was impossible to find out how he came by his end, or to punish his assassins. He would not imitate this conduct. On the ticket present-

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ed at Syracuse, he remembered the name of no man against whom he felt any personal unkindness. There were several for whom he had cherished a warm regard, which he had reason to believe was reciprocated. It seemed to him fair, manly, and honorable, to apprise them of their danger; to notify them where they might be disappointed in expecting support, and thus to give them an opportunity to make those extraordinary exertions necessary for their success. Mr. V. B. said, that while he would not urge any one not to vote the Syracuse ticket, he had friends (true democrats) whom he should be unwilling to expose to persecution. He should advise those who were doctors, and had Conservative patients—those who were lawyers, and had Conservative clients—those who were merchants, and sold wares to Conservative customers, to vote the ticket, ("Well, we will,") else they would be ground to the earth. He knew the Conservative breed, and at this crisis it was peculiarly appropriate that those who were engaged in planting black slavery on a foreign free soil, should consummate their object by enslaving the domestic whites. In conclusion, Mr. V. B. said, he was aware that a fierce political storm was raging—that the political sea was rolling mountains high; but he had an undoubting conviction of the correctness of his course, and he thought he saw a spirit of justice and liberty walking upon the waters, reaching out its arms to his support, saying, "BE OF GOOD CHEER, IT IS I—BE NOT AFRAID."

At the close of the meeting, a Convention was appointed to be held at Herkimer, on the 22d of February ensuing, to select 36 delegates to the National Convention, to nominate a President and Vice President.

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## CHAPTER IV.

CALL FOR UTICA CONVENTION OF FEBRUARY, 1848—CAUSES WHICH  
LED TO THIS CONVENTION—DOINGS OF CONVENTION—ADDRESS  
BY JOHN VAN BUREN—RESOLUTIONS—SPEECH OF HON. GEO.  
RATHBUN ON GEN. CASS.

For twenty-two years all democratic state Conventions in New York, whether to nominate state officers or Presidential electors, have been called by a joint caucus of the democratic members of the Senate and Assembly. This usage has therefore become law—a law which can never, in justice, be set aside, except by a body fairly assembled by the mandate of the law itself, and with the object of the change plainly pre-avowed. To the authority of this usage may be added that of the State Convention of 1843, called to deliberate as to the proper *method* of appointing national delegates. This body adopted the following resolution by a vote of 103 to 19.

"Resolved, That this convention have duly deliberated on the question of the proper and best mode of appointing delegates to a national nominating convention, and the number that each state should be entitled to, and we announce it as the conclusion at which we have arrived with *almost general unanimity*, that each state should send so many delegates to the convention as it has electoral votes, and that for other states, as well as the state of New York, we think the proper way and manner to appoint them is *not by districts*, but by general ticket and a state convention."

One of the reasons for this decision was, "that delegates to nominate ought to be appointed by the same rule and in the same way as are the electors to elect a President. The President is now chosen by general ticket in each state, and *each elector* votes for the *whole* electoral ticket, and the state gives her *entire vote* in the electoral college for *one* man."

The Syracuse Convention, to whose fraudulent action we have briefly adverted, was held on the 29th and 30th of September, and 1st and 2d of October, 1847. It was the regularly appointed State Convention for the nomination of State officers. Prior to its assembling, the Hunker party, directed by Mr. Edwin Crosswell, had prepared with untiring assiduity, to pack that body. In the paralysis occasioned by the sudden death of Silas Wright, and just as the County Conventions began to be held to choose delegates, by combining the contractor-interest of the public works and by the use of the patronage of the general government, they succeeded in nearly dividing the Convention; and by contesting the seats of several radical delegates, and procuring the admission of spurious contestants solely by men who had obtained their appointment as delegates, by professing to sustain the views of the radical democracy, they ultimately secured a small but compact majority. At the close of this session of the body thus fraudulently constituted, after a quorum no longer participated in its proceedings, amid confusion and disorder, they claim to have adopted certain resolutions, and an address which was not read. One of these resolutions attempted to subvert the usage of appointing delegates to the National Convention by general ticket—usage, which had been practised in every instance in which such a body had ever been held, and which, as we have seen, had been deliberately adopted with great unanimity, by a State Convention called for the express purpose of settling the question. Another attempted to subvert the usage by which the Democratic State Conventions had invariably been called, by a caucus of the members of the Legislature, and to confer this power upon a committee, which it appointed in place of the existing State Central Committee, whose term of office had not expired.

To this course of fraud and disorganization, they added a violation of principle. The following resolution, offered in another form, at an early period, by DAVID DUDLEY FIELD, Esq., one of the most able advocates of free soil, and postponed with an understanding that it should be afterwards considered, was laid upon the table and finally stifled:

"Resolved, That while the Democracy of New-York, represented in this Convention, will faithfully adhere to all the compromises of the Constitution, and maintain all the reserved rights of the States—they declare—since the Crisis has arrived when that question must be met,—their Uncompromising Hostility to the extension of Slavery into territory, now free, which may be hereafter acquired, by any action of the Government of the United States."

The Herkimer Convention, of which some account has already been given, and which was merely a voluntary assemblage to protest against the action of the usurping majority of the Syracuse Convention, and to assert the principles which had been smothered by that body, met soon after, and among other acts recommended the holding of a State Convention at Herkimer, on the 22d of February, 1848, to appoint delegates to the National Convention to be held at Baltimore.

Such was the state of things when the Legislature assembled. On the 18th of November the Democratic members met in caucus. Following the time-honored precedent of the party, and repudiating the disorganizing acts of the Syracuse Convention, they called a State Convention to consider and determine the mode in which delegates to the National Convention should be appointed, and if the mode should be decided, to appoint such delegates. And for the purpose of conciliating, they designated a time and place different from that recommended by the Herkimer Convention; that it be held at Utica on the 16th of February, instead of Herkimer on the 22d. This caucus was participated in by a large majority of the Democratic members, and by many of the Hunkers.

The first of these resolutions of the Syracuse Convention purported to be a mere recommendation to the people to change the mode of appointing delegates; and could be carried into effect only by the assenting action of the people through their local organizations. But it was repudiated by the people and the local organizations almost universally throughout the State, as well as by these members of the Legislature—the only body authorized to call State Conventions.

The object of this scheme, was to divide and fritter away the influence of the State of New-York in the national nominating Convention, and thus surrender it, bound hand and foot, to the slave power. Being refused the means to give it vitality, to prevent its entire failure the Hunkers were obliged to resort to a still more desperate expedient. The spurious committee appointed by the Syracuse Convention, issued a call for a State Convention to assemble at Albany on the 26th of January, 1848; and well aware that the people in their primary organizations would not send delegates to such a body, provided for the appointment of volunteers in derogation of the rights of the local committees and of the will of the constituencies whom they pretended to represent. When the Convention, thus constituted, assembled, it found still another obstacle, in the refusal of the district, county and town committees, to take measures for appointing delegates to the National Convention by districts. It was, therefore, compelled to resort to its local and violent usurpation. A mere irregular assemblage of volunteers, it appointed local committees for the whole State, which could, of right, be

appointed only by the people of the localities, and invested them with the power of the nine hundred various committees already in existence. In a word, it constituted a new organization, in the *form* of the Democratic party, contrary to its will, and in violation of sound principle.

It was by this process that the "*Hunker*" delegation to the Baltimore Convention originated.

The Convention, called according to invariable usage, by the Democratic members of the Legislature, for the 16th of February, was accepted by the Barnburners, instead of that which they had already appointed for the 22d of February. Having hope of conciliation in this medium only, they were willing to bow to the decision of this joint caucus, which all had heretofore respected as law in party organization. The Convention of the 16th was held, and from it emanated, as will be seen by the following account, the delegation to the Baltimore Convention called '*Barnburner*.'

#### UTICA CONVENTION OF FEBRUARY 16, 1848.

A Convention of Delegates from the various Assembly Districts of the State of New-York, was convened at the Court House in the city of Utica, on the 16th day of February, 1848, in accordance with the following recommendation of the Democratic members of the Legislature:

"Resolved, That it is recommended to the Democratic electors of each assembly district in this State, to appoint a delegate to a State Convention, to be held with authority to choose delegates to represent the Democracy of the State in the next National Convention, held for the purpose of nominating candidates for President and Vice-President of the United States; or to determine the manner in which such delegates to the National Convention shall be chosen.

"Resolved, That the State Convention be held at Utica, on the 16th day of February next, at 12 o'clock M."

This Convention was very fully attended—every county of the fifty-nine, except Cattaraugus, Franklin, and Sullivan, being represented. Never, in the history of the State, has there been held so harmonious and so enthusiastic a political meeting.

The following were appointed officers of the Convention:

*President*.—Hon. John Tracy, of Chenango.

*Vice-Presidents*.—1st District, Henry Keyser, of New-York; 2d, Robert Deniston, of Orange; 3d, John Keyes Paige, of Albany; 4th, H. S. Johnson, of St. Lawrence; 5th, Abijah Beckwith, of Herkimer; 6th, Henry S. Randall, of Cortland; 7th, George Rathbun, of Cayuga; 8th, H. P. Darrow, of Erie.

*Secretaries*.—Daniel H. Tompkins, of Queens; Calvin P. Vary, of Livingston; James W. Nye, of Madison; James S. Whallon, of Essex.

The session continued two days, the first being consumed in the organization and reading of the address; the second, by resolutions and speeches.

The following resolutions were adopted immediately on the organization:

"Resolved, That the delegates from this State to the Democratic Republican National Convention, for the nomination of candidates for President and Vice-President, should be selected by general ticket, in accordance with the usage of the Democracy of the State of New-York, established and heretofore adhered to, upon full and deliberate examination, as well as with the general practice of the Democracy of other States."

HON. JOHN VAN BUREN, from the committee on that subject, reported, for the

consideration of the Convention, the following Address, which having been read by him, was unanimously adopted. It is one of the clearest, most comprehensive, and able documents we have yet seen from Mr. Van Buren's pen. It states with great accuracy the party usage of the State for the past twenty-five years; it gives the history of the Syracuse and Herkimer Conventions; the entire action of the party from the point of its formal division; it gives, also, an able and faithful exposition of the opinions and feelings of the New-York Democracy—1st, on the justness of the Mexican war; 2d, on the terms of a just and honorable peace; 3d, on the wisdom, humanity, and constitutionality of limiting the evils of slavery, by preventing its introduction into our unsettled territory; 4th, our refusal to make this subject a test in the election; 5th, the relation of New-York to the national administration; the foundation of the party; and, finally, the obstacles which retard the advancement of our principles; the true position of the party, and the brilliant prospect which opens before us.

#### ADDRESS.

FELLOW CITIZENS :—This Convention, composed of delegates chosen from the several Assembly districts of the State, called together in pursuance of the uniform usage of the democratic party, having discharged the duty assigned to them by you, deem it appropriate to accompany a report of their proceedings with a simple and candid exposition of their views in regard to some of the great questions which now agitate the country, and of the condition and prospects of the republican party of the State and nation.

This Convention was called by a joint caucus of the democratic members of the Senate and Assembly, for the purpose of determining how delegates should be selected to represent the Democracy of this State in the next National Convention to nominate candidates to be supported by the democracy of the Union for the offices of President and Vice President; and power was given to this Convention, in case it determined that such delegates should be chosen by a State Convention to choose such delegates. The authority under which we are acting is, then, one which you will readily recognise as your legitimate and time-honored agency.

No regular democratic delegated State convention ever assembled in this State under any other authority. Prior to the year 1826, democratic nominations for the State at large were made by Legislative caucus; in these the counties in which the democrats were in a minority, were unrepresented, and improper influences were often brought to bear to control selections made by those who thus mingled legislative schemes with party nominations, and whose long absence from their constituents had exposed them to the danger of forgetting or misrepresenting their wishes. To obviate these difficulties, and at the same time to secure the co-operation of democratic members of the legislature, who were chosen by their friends as their representatives, by reason of their integrity and ability, and who acted under the responsibility of an official position thus acquired, it was deemed wise, with the general concurrence of the party, that State nominations subsequent to the year alluded to, should be made by State conventions, composed of delegates from every county in the State: but that such conventions should be called by the democratic members of the legislature. In pursuance of this determination, nominations were first made in 1826, by a State convention convened in this manner with the universal assent of the party, and the usage then established has been adhered to unvaryingly to the present day. You will readily remember that every State officer, and every Presidential elector whom you have ever supported since 1826, except the electors chosen by districts in 1828, was put in nomination in this mode. The electors of President and Vice President in this State, prior to the election of 1824, were chosen by the legislature. They were subsequently chosen by the people, in congressional districts; a single election, however, (that of 1828) served to show how entirely the power of New-York in a Presidential contest might be prostrated by this mode of choosing Presidential electors. Under it Andrew Jackson obtained twenty electoral votes, and John Quincy Adams sixteen—the effective power of the state thus amounting to four votes, and only equalling that of Rhode Island.

In 1829, the system was therefore abandoned and the system of choosing Presidential electors by general ticket, adopted almost unanimously by the legislature. It is

honorable to the citizens of this State, of both political parties, that they united in this measure, and suffered no hope of petty or temporary advantage to stand in the way of their noble determination to preserve unbroken the commanding influence of New-York.—Whilst the electors were chosen by districts, they were nominated by district conventions, but ever since they have been chosen by the State at large, they have uniformly been nominated by a State convention, and by the same State convention which nominated the democratic candidates for Governor and Lieutenant Governor, to be supported at the same election. The delegates at the national nominating convention, however, have always been selected by a State convention, called by the democratic members of the legislature for the single and express purpose (with two exceptions, to which we shall allude) of choosing such delegates.

Prior to 1832, the democratic candidates for the office of President and Vice President, were selected by a congressional caucus. The first national convention for the purpose assembled in 1832. It nominated Andrew Jackson for President and Martin Van Buren for Vice President. It consisted of delegates chosen by the democracy of each State, in conformity to its own usages, who gave in the convention a vote equal in number to the electoral vote of each State. Some States—Virginia, for instance—sent one hundred and more delegates to give twenty-four votes—the like was true of others. New-York, however, sent a number of delegates corresponding with the number of her electoral votes. These delegates were selected by a State convention assembled at Albany, and called by the democratic members of the Senate and Assembly. The mode of selecting these delegates then established, has been pursued uninterruptedly till now. Martin Van Buren was thus nominated for President in 1836, and again in 1840, and James K. Polk in 1844. So firmly was this mode of calling State conventions established as early as 1832, that the *Albany Argus*, a newspaper of position and influence at that time in the republican party, in alluding to the adjourned caucus of the republican members of the legislature, held on the 19th April, 1832, by which a State convention at Herkimer had been called, and the democratic addresses and resolutions adopted, said :

“ The customary recommendation of a State convention for the nomination of the republican candidates for Governor and Lieutenant Governor, and electors of President and Vice President, is in accordance WITH AN ESTABLISHED AND SALUTARY USAGE, and will receive the universal and cordial acquiescence of all the sincere friends of the National and State Administrations. As the deliberations of the Herkimer convention, from the various candidates for high and responsible stations which it will be required to present for the suffrages of the electors, will be regarded with great interest, so any attempts to forestall the proceedings, or by partial movements to interrupt the regular action of the republican usages, will assuredly defeat themselves, and bring odium upon their authors.”

We have stated that conventions have been heretofore called for the express purpose, with two exceptions, of choosing delegates to the national convention. The exceptions to which we allude, are the present convention and that of 1843. The nomination for the Presidency, in the year 1844, excited intense interest. It was known that the State of New-York presented a citizen of her own as a candidate, and the controlling influence of her delegation in a national convention was dreaded by the friends of the other candidates. A vigorous effort was made to persuade the democracy of New-York to depart from their settled usage, and to select their delegates to a national convention by allowing each congressional district to send one representative. To take the sense of the democratic party in regard to this question, the republican members of the legislature, in April, 1843, called a State convention to assemble in September, 1843, with power to choose delegates to a national convention, or to determine the manner in which they should be chosen. It was wise and magnanimous thus to refer this question to the democracy of the State, and to allow abundant time between the call of the convention and its assembling to discuss it. The convention assembled and declared by a vote of 103 to 19 in favor of the State system.

In October, 1846, a State convention assembled under the call of the democratic members of the legislature, and nominated Silas Wright for Governor, Addison Gardner for Lieutenant Governor, and other officers; they also appointed a State central committee to serve for two years, and until another should be chosen. In the Spring of 1847, a State convention was called and held in like manner, for the nomination of judicial officers; and another in October, 1847, to nominate candidates for the various

State offices to be filled at the ensuing November election. These were a Lieutenant Governor, Comptroller, Secretary of State, Attorney General, Treasurer, State Engineer and Surveyor, three State Prison Inspectors, and three Canal Commissioners. A warm and active canvass took place for seats in this last convention. But so far as we have been able to learn, no complaint was then or ever made of the conduct of the State central committee, appointed in 1846, for the ensuing two years, nor was a suggestion made that the convention should in any way interfere with the question of the Presidency of the United States. The public expectation, so far as we know it, awaited at the hands of the convention an avowal of democratic principles, and a nomination of candidates who should be the honest choice of the democratic party for the various State offices we have named. How far their wishes in these respects were met we do not now stop to inquire; but of their action upon subjects not confided to them, it becomes our imperative duty to speak. Without authority, and without complaint, they removed the State central committee, whose term was unexpired, and appointed another in its stead. To the entire surprise of those whom they claimed to represent, they clothed the usurping State committee with authority to call State conventions; an authority which, as we have already seen, had been vested in the democratic members of the legislature for more than twenty years, and ever since the existence of State conventions, and never in a committee; and they assumed to recommend the different congressional districts to send delegates to a national convention, and to deprive the members of the legislature of the power to call a State convention for this purpose, without, so far as we know, the slightest intimation from their constituents that a change in this respect was desired or expected, and in defiance of the well considered, and mature, and almost unanimous decision of a recent State convention on this very point, called and assembled for the express purpose of determining it. Conduct so unwarrantable produced its natural fruits. The republicans of the State were aroused by usurpations so glaring, and violations of their wishes so unqualified. A mass convention of delegates assembled at Herkimer on the 26th of October, 1847, and after declaring the views of those who composed it in regard to great questions of principle, it repudiated the action of the Syracuse Convention, declared its proceedings not binding on the democratic party, and called a State Convention to assemble at Herkimer, on the 22d February, 1848, to choose 36 delegates to represent the democracy of the State in the national nominating convention. We do not stop to discuss the propriety of the action of the Herkimer convention; but it is just to those who participated in it, to state that action correctly.

It was a mass assemblage of democrats, not a delegated convention. It avowed principles dear to the democratic party—it nominated no ticket for the support of electors—it imposed no disqualifying tests, and the only step which it took, touching party organization, was the call for a State Convention, to which we have adverted. The election followed, and the democratic party were overwhelmed in a defeat far more disastrous than they had ever before met. Such was the state of things when the Legislature assembled in November, 1847. On the 18th of that month a caucus of the democratic members was convened under the call of the joint caucus committee. Thirteen Senators and thirty-nine Members of Assembly, comprising nearly the entire body of democratic members of both houses, answered to their names. The difficulties in the democratic party were freely and kindly canvassed at this caucus. On the one hand, it was claimed that the Herkimer call for the State convention was proper and sufficient. On the other, that the change in the mode of choosing delegates proposed at Syracuse would be adopted by the congressional districts, and that no action ought to be taken by the caucus. The discreet and prudent democrats, however, who were members of the Legislature, chose to take a course which it was supposed would conciliate all interests and disarm all opposition. They followed the precedent of 1843, and by an almost unanimous vote called the present convention. Instead of calling a convention absolutely to choose delegates, as was done at Herkimer, or determining absolutely that they should be chosen by congressional districts, as was done at Syracuse, they called this convention to choose delegates to the national convention, or to determine how they should be chosen. They wisely judged that if the Syracuse convention had faithfully reflected the popular will, a majority of delegates to this convention would determine in favor of the district system; if, on the other hand, a majority of the democrats in the State desired to adhere to the former practice, a majority of this convention would so decide, and that in either event, every section and interest in the democratic party that honestly intended to be governed by the cardinal principle of submission to the will of



a majority, fairly and constitutionally expressed, having once an opportunity to be heard, would quietly acquiesce in the proposed arbitrament. A motion to substitute the time and place named in the Herkimer call, was rejected by the caucus. The convention was called at an early day, so that abundant time might remain before the assembling of the national convention to choose delegates to it by districts, if the convention should decide in favor of that mode. An adjourned caucus, equally full, assembled under the call of the committee, as published in the *Argus*, on the 13th of December following; an effort was made at this caucus to rescind the call previously made for this convention, which failed by an almost unanimous vote, and the regular address and resolutions reported by the committee appointed for that purpose at the previous caucus, were adopted after a warm discussion, by a vote of twenty-nine to seventeen. The address and resolutions were afterwards signed by a majority of the democratic members of the Senate and Assembly, and published.

The present legislature assembled at Albany on the first Monday of January last, and as no action has been taken by the democratic members in regard to this subject, it is fair to infer that they approved of the conduct of their predecessors. The call of this convention was acquiesced in by those who advocated the Herkimer convention of the 22d, and that convention has been formally and publicly abandoned. We have, therefore, every reason to believe, and do believe, know and declare, that this convention, called in pursuance of established usage, with a view to conciliation and consultation, truly represents no section, clique, or personal interest, but the mass of prudent, impartial, intelligent and disinterested democrats of New-York. We have been thus particular in recalling to your attention the usages of the democratic party, and thus minute in explaining the authority under which we act, because we can conceive of no audacity more shameless, or counterfeiting more base, than that of those who would, without warrant, and self constituted, assume to speak to or for you, as your representatives.

In proceeding in the discharge of the trust confided to us, of determining how the delegates to represent you in a national convention ought to be selected, we have referred in the first instance, to the previous usages of the party.—These usages, in subordination to principles, constitute the express law of the party, and an adherence to them has well been termed the sheet-anchor of its safety. They have carried the democracy through the fiercest conflicts, often in victory, and always with honor. We have, therefore, supposed that you would not, without good cause, depart from them. We find, then, that your invariable usage has been to select delegates to a national convention by a State Convention. This has been done from the first national convention, in 1832, to the last in 1844; and the State convention called in 1843, for the purpose of settling the question, under the full and mature deliberation of which we have spoken, embodying the first ability to be found in your ranks, and the most devoted zeal, and presided over by the Hon. WM. L. MARCY, came, by a vote of 103 to 19, to the conclusions embodied in the following resolution:

*Resolved*, That this Convention have duly deliberated on the question of the proper and best mode of appointing the delegates from each state to a national nominating convention, and the number that each state should be entitled to, and we now announce it as the conclusion to which we have arrived, with almost general unanimity, that we believe it most conformable to the principles of the Constitution, and most consistent with the soundest doctrines of the Democratic party, that each State should be entitled to send so many delegates to the Convention as it has electoral votes—that each State ought to appoint its delegates in such way and manner as it shall think proper, and that for other States as well as New-York, [ ] we think the proper way and manner is to appoint them, not by districts, but by general ticket, and by a State Convention assembled as we are, or in such manner as the democracy may choose to organize their State Convention. And we offer to our constituents and the country, these as some of the main considerations for the conclusion we have announced:—The democratic party owes its existence and success to that jealous and just fear of the consolidating tendencies of federalism which in the administration of the elder Adams roused the republicans of that pure period, and has ever since maintained the perpetual controversy of parties as to the consolidating or confederating character of the government. To sustain its confederate character, to preserve the rights of the States, and to fortify State action and influence in all its constitutional functions, has been the unchanged creed and unvaried practice of the democratic party. We believe that it would violate that creed

and change that practice, to choose delegates by districts, while the electors are chosen by general ticket. We think that delegates to nominate ought to be appointed by the same rule and in the same way as are appointed the electors to elect a President. The President is now chosen by general ticket in each State and each elector votes for the whole electoral ticket, and the State gives her entire vote in the electoral college for one man. In this State we tried the choice of electors by districts, but after the first experiment, and it was seen that the State lost all or much of its influence; it was abandoned by general consent, and the general ticket system adopted in its stead. The nominating convention is organized to enable the people to exercise their constitutional power in the choice of President, and all principle and consistency seem to indicate that he should be nominated as he is elected—each State voicing by itself and for itself, and with an undivided vote in both instances. Again, it is important to the democracy of the Union, that the democracy of each State should be kept in the ascendant, and in union and harmony in itself, and it is perhaps undeniable that no party can be long permanent and paramount in the Union, unless it has the support of some or all of the larger States. The presidential question is the great exciting topic of the country, and must be so continually. The smaller States, by size, numbers, identity of interest, and frequency of intercourse, will generally be united in the choice or preference of candidates, and would usually choose the same delegates by districts as by general ticket. But it is not so with the larger States, which the district system would throw into collisions and dissensions, that would unsettle and distract any party within them. We do not believe that the democratic party could long maintain itself in any of the larger States under the district system, if the federal party in that State adopted the general ticket system. We are aware that a remarkable unanimity pervades the democracy of this State at this time in reference to Mr. Van Buren as our candidate; and we believe, that if the choice was to be made by districts, that not one district in the State would send a delegate for any other man. But this may never occur again; and that unanimity renders this the more suitable occasion to settle the question in the State. Still more objectionable does the district system appear to us, from the probability that many of the States never can be induced to adopt it, and they will have, from that cause, an undue advantage over the others in every convention. Nor do we see why majorities taken by the states are not as well taken as by districts. It is as often the correct result, and the only mode known in the election of President by the people of the states. That not the smallest objection to the district system would arise from the impracticability of a national convention's intelligently, or satisfactorily, or seasonably settling the questions of contested and double delegations which that system would produce and encourage. And such are some of our reasons for preferring to adhere to the general and united ticket system for each State, as most convenient, fair, equitable, harmonious, constitutional and Democratic."

It gives us great pleasure to concur in the conclusions to which the able and patriotic body that adopted the foregoing resolution arrived. And instead of attempting to add to the reasons so forcibly urged for rejecting the Congressional District System of choosing delegates, we shall merely advert to some of the arguments urged in favor of adopting that system now. One of the arguments is, that the District System has been adopted by other States. This suggestion we believe to be unwarranted by facts. Delegates have already been selected by States in Ohio, Tennessee, Indiana, Georgia, Mississippi, Arkansas and Michigan, the State conventions to choose delegates have been called in Virginia, on the 28th of this month, in Pennsylvania, on the 4th of next month, and also in Alabama. It will thus be seen that 72, or, including Virginia, Pennsylvania, and Alabama, and excluding New-York, 124 delegates out of 250, may already be deemed chosen by State Conventions. Massachusetts, Maine, and Vermont choose a number equal to the delegation in Congress, by Congressional districts; but delegates for the State at large, by State convention. New Hampshire chooses one delegate by a State Convention and the remainder by Councillor Districts—adding the seven delegates thus chosen by State Conventions, it will be seen that a majority of the delegates to the next national convention, excluding New-York, have already in effect been chosen by State Conventions. It is also well known that a majority of the residue have always heretofore been, and doubtless will again be chosen by districts. The great States of Pennsylvania, Ohio and Virginia, choose their entire delegations by State Conventions, and so far from finding in the action of other States a reason for departing from previous usages, we see in it additional reasons for adhering to our ancient

custom. Another argument of the advocates of the district system is, that the new Constitution of this State aims to decentralize the power of the State, and that the adoption of the district system would aid this object. In our judgment, the decentralization effected by the new Constitution removes the only plausible objection that was ever urged against the State system. There is no central governmental power now to influence the action of a State Convention—and at this moment the democracy are particularly exempt from the remotest influences of this sort. The State officers residing at the seat of government are whigs, and the democrats best known, and most conspicuous in the democratic ranks, who have formerly held office, are by death, retirement, change of residence, or other causes, almost without exception, removed from Albany. Federal patronage only is felt at that point. Whatever danger, therefore, from this cause, may threaten the whig and conservative conventions at Albany, a moment's reflection must satisfy you, that to the Democracy it is purely imaginary. A convention like this, chosen by Assembly Districts, and assembled at a distance from the seat of government, can and will select your representatives precisely as directly from the people, and as free from central influence, as could possibly be done by a Congressional District Convention. Since the adoption of the new Constitution the patronage of the State Government, if not destroyed, has ceased to be formidable, and the evil of the patronage of the General Government, has not only become more prominent by the contrast, but has grown to be a CENTRAL POWER, dangerous to the liberties of the People, and calling loudly for retrenchment and reform.

The only additional suggestion in favor of the district system, is one that always addresses itself with peculiar force to fair-minded democrats, to wit: that as a portion of those with whom we have formerly acted prefer the district system, it might promote harmony if the majority would yield their rights and preferences, and unite with them. But on such union the seceders have already closed the door, by selecting delegates in several of the Congressional Districts before the assembling of this Convention. In the 7th, 13th, and 32d Congressional Districts, they chose delegates on the 15th of this month. In the 34th, on the 12th. In the 3d, 4th, and 6th districts, they choose on the 17th instant, and in others, they will have chosen before the delegates to this Convention can reach their homes, or participate in the selection. This communion of action, therefore, however desirable, has been designedly rendered impossible by those who have refused to submit to the arbitrament of their former associates and themselves.

We have thus far treated this question as it was left by the conciliatory call under which we were convened. But a reference to the proceedings of the democratic elections by whom we were chosen, will show that a vast majority of the conventions which delegated us to carry out their wishes, have expressed their preferences, if not instructed their delegates, in favor of the State system; and believing as we do, that representative fidelity is the life of our political system, and that the highest obligations of duty and honor require the delegate to obey the expressed wishes of his constituents, we have had no hesitation in proceeding to the choice of 36 delegates to represent you in the National Convention at Baltimore. The individuals selected are believed to be, one and all, eminently trust-worthy; we have not felt at liberty to hamper them with instructions, but entertain the hope, that they will carefully ascertain and faithfully carry out your wishes in their conduct. In so doing, they will consult the honor of the State, and the true and permanent interests of the republican party of the State, and of the Union, and thus best promote the prosperity and happiness of the American people.

We might here pause: but feeling that we are authorized, under the circumstances, to speak in your behalf, and that a declaration of your views and wishes may not be without service to you and our brethren of the Union, we proceed, as briefly as possible, to describe what we believe to be your principles of action—the condition of the republican party—and the extent and causes of the difficulties that now surround it. New York has no candidate of her own for the Presidency to present to the Democratic National Convention. In the number of her democratic citizens who would do honor to the station, we have not found one who desires to be supported for that high office. Were it otherwise, we are well assured that not one of them could be designated, that possesses or deserves the confidence of his party, who would permit his success to be accomplished by a suppression, change or qualification of his own opinions, or those of his friends, in regard to public measures, or by indirections of any character.

With these remarks, we, under the responsibility of the trust reposed in us, and with ample opportunity of information upon the subject, in a spirit of entire candor, declare the following to be a just and faithful exposition of the feelings and opinions of the democracy of New York upon the subjects which it embraces.

*First.*—Their conviction of the justness of the war, and their determination to sustain the government in an energetic prosecution of it, until a just and honorable peace, the only legitimate object of war, can be obtained, have been sufficiently avowed; and, what is of more importance, have been confirmed by their acts at all times and upon all occasions. Having no sinister or selfish objects to be accomplished by it, they will not enter into a competition with others in regard to the vehemence of their asseverations upon the subject of the war. Better justice could not be done to the feelings and dispositions of the democratic masses of this State, than by referring our own government, as well as all concerned, to the late war meeting of the lion-hearted democracy of the city of New York. The spirit and character of that assemblage are well known to the United States Senators, by whom it was addressed. Fervent and impressive, indeed, must have been those proofs of high resolve and ardent patriotism, in view of which the veteran soldier and Senator, Houston, could not refrain from describing it as "the most numerous, the most cheering, and most emboldening meeting which he had ever seen, ever heard of, or ever speculated upon seeing." For the sincerity of ninety-nine-hundredths of that vast assemblage this convention can safely vouch, for they are emphatically our brethren in feeling and in principle. Could the true-hearted democracy of the Empire State have been brought together under like circumstances, they would have presented the same appearance, displayed the same feeling, and have pronounced the same noble resolution to defend the rights and honor of the country, at all hazards, and at any sacrifice. Nor would such an exhibition have been more than a renewal of the patriotic feelings and firm resolves with which New York, a frontier State, and compelled for a season to bear the brunt of the contest, met the foe in the war of 1812—feelings which she will never fail to exhibit on all occasions which are of sufficient magnitude to rouse the potent, though quiet, energies of her democracy.

*Secondly.* Thus advising the government to an energetic prosecution of the war, until just and honorable terms of peace can be obtained, the democracy of New-York deem it due, as well to the administration as to themselves, to state more distinctly than is usual, what those terms ought, in their judgment, to be. To withdraw our troops before indemnity is either made or secured for our just claims against Mexico, and reasonable safeguards established against future aggression, would be unwise and dishonorable to our country. For the sake of harmony among ourselves, and the better to protect the character of our government against the accustomed reproaches of those who envy, whilst they dread, the force and spread of our institutions, we would prefer to have such indemnity made in some other form than by the cession to the United States of Mexican territory. But we owe it to candor to say, that in the present condition of Mexico it is not possible to expect that this desire can be realized. Viewing the matter in this light, and believing that there are portions of her territory which she can spare without materially weakening her condition, and which it would, in commercial and other points of view, be important that the United States should own, we approve of the efforts of our government to obtain satisfaction for our just claims through that channel, trusting that if such cessions are obtained, they will be acquired upon terms consistent with the character for justice and humanity which we have sustained since our admission into the family of nations. We are opposed to the acquisition by the United States of any considerable extent of territory for any purpose other than its ultimate admission into the Union as States, upon an equal footing with the present members of the confederacy, regarding the colonial system, as we do, to be inconsistent with the genius of our government and dangerous, if adopted, to the perpetuity of our free institutions. Whatever effects upon the population of Mexico may, in the progress of time, be produced by the increased emigration from the United States, to which the present war will inevitably lead, we are at this time wholly unwilling to commit the destinies of this great and flourishing republic to an union with a population like that of which six out of eight millions of the present inhabitants of Mexico are composed. Having had no proof of the insincerity of the opinions advanced by the President in his annual message, or any sufficient reason to believe that he has changed his views in regard to it, we hold the alarm which has been sounded

in respect to a contemplated denationalization of Mexico by our Government to be without foundation.

*Thirdly.* The democracy of New-York do now, and have always heretofore, believed in the wisdom, humanity and constitutionality of the policy of endeavoring to limit the evils of slavery, by protecting the unsettled territories of the United States against its introduction, whilst they are under a territorial government. So believing, they will when any such governments are established by Congress, either for the territories we now possess, or for such as we may acquire from Mexico, insist, so far as we have the right and the means to do so, that this ancient, successful, and time-honored policy shall be applied to them. And why should we not do so? What is it that has caused the dissatisfaction with and denunciation which has been so unsparringly poured out upon the democracy of New-York, for steadily pursuing the path which not only they, but, until very recently, the great and good of all parties, have uninterruptedly and happily trod? Apprehensive of the heart-burnings and discord which might, in the progress of time arise from the then great and most probably permanent disparity of the condition, in respect to slavery, of the States which had by their joint efforts, established our national independence, the patriots of the revolution took early measures to guard, as far as they could, the union of the States against the evils with which they foresaw it would be threatened from this source.

Southern men, whose names are synonymous with all the virtues which can adorn the human character, such as Washington, Jefferson, Madison, and a host of other patriots, lent their aid and the influence of their great names to the promotion of this object. When the federal constitution was framed and adopted, Mr. Jefferson was not in the United States—but before he left them, he introduced into Congress the principle which was embodied in the ordinance of 1787, for the government of the North Western Territory, by which that body, with the declared purpose of “*extending the fundamental principles of civil and religious liberty which form the basis on which these republics, their laws and constitutions are erected,*” provided that there should be “*neither slavery nor involuntary servitude in said territory, otherwise than in the punishment of crime, whereof the party shall have been first duly convicted.*” This ordinance, be it remembered, embraced in its provisions *all the territory which the United States then held in undisputed possession*, and in the principal part, if not the whole of it, *slavery was then permitted by law*. This great charter of freedom passed in Congress by the unanimous vote of all the States. The representatives of every Southern State cordially united; and among the great and good men then prominent in the public service, there was not, that we know of, either from the North or the South, the East or the West, but a single dissident. A slave State made the principal cession of the territory upon which the ordinance was to operate, and Southern statesmen deemed it wise to take the lead in all measures for the melioration and limitation of slavery.

Congress having thus, as they hoped, closed for ever the door to the extension of slavery beyond the limits of the original States, all that remained to be done was to prevent its increase by foreign importation. The ground work for the accomplishment of this great object was laid by another body of still higher authority. The convention to frame the present federal constitution was in session when the Jeffersonian ordinance was passed; and it completed the work in which Congress had made so much progress, by two important provisions, viz.: one conferring authority on Congress to prohibit the introduction of slaves into the United States from abroad, and the other, in full view of what it had just been doing on the subject of slavery, authorizing it to make all needful rules and regulations respecting the territory, or other property, belonging to the United States. And among the first acts of the first Congress under the new constitution, composed, in part, of the persons who had framed it, was an act recognizing the validity of the ordinance of 1787. This uniform and harmonious system of action upon the subject of slavery, on the part of the southern statesmen of those days, was not only dictated by the purest and most devoted principles of philanthropy and patriotism, but was well calculated to subserve a policy which they did not attempt to conceal or disguise. They regarded the existence of slavery in the United States as a misfortune of the first magnitude in any aspect in which it could be viewed; a misfortune which could not fail to prove disastrous to the welfare of the whole country; but destined to bear with the greatest severity upon the States of the South, where it prevailed to the greatest extent, and was likely to be permanent. They justly claimed that neither its introduction nor present existence was attributable to them as a fault—that the blame

in this respect rested upon the mother country ; and so strongly was the leading mind of the South in civil affairs impressed upon this point, that the promotion of the slave trade with the colonies, was one of the charges against Great Britain preferred in the original draft of the declaration of independence. They contended that, as slavery could not now be removed by any known means, it must be tolerated, until, in the providence of God, some mode of deliverance was presented, which could not then be devised.

They foresaw, as we have already said, that its existence, when confined to one section of the country, as was likely to be soon the case, might give rise to heart-burnings and contention. They met this danger promptly, seasonably, and justly, by showing their willingness to adopt any practicable measure to prevent the increase of an evil, the removal of which was beyond their present power. It mattered not to minds and hearts like theirs, that the territory in respect to which they legislated, was at the time part of slave States, and subject to the introduction of slavery.

Having thus shown their disposition to do all they could upon the subject, and having effected so much, they felt that they could rely upon the justice, the patriotism, and the fraternal feelings of their sisters of the confederacy, who were, or were soon to become, free States, not only for a total abstinence from interference with the subject in States where slavery existed, but for active aid in the mitigation of its injurious effects. The result has shown that they judged correctly. Every attempt by the misguided men of the North to disturb the Slave States upon this delicate subject, though vexatious and irritating, has proved substantially harmless. On the other hand, no opinion has become more firmly rooted in the minds and hearts of the Northern people, than that which inculcates the absolute inviolability of the subject of slavery in the States against external interference. Of the extent to which the democracy of New-York and their public functionaries have contributed to the maintenance and spread of this sound constitutional doctrine, we need not speak—nor, if our own people are satisfied, as we think they ought to be, that more has not been done in this respect than was required by the constitution, demanded by the comity of States, or due to the fraternal feelings which have so long existed between us and our southern brethren, will we either relax in our future efforts, or regret the past, in whatever light our conduct may now be viewed by those whom we wished to befriend. The policy thus established by universal consent at the very commencement of the government, and which we desire to uphold, was not only effectual in maintaining harmony between the free and slave States, but it has in other respects been productive of most useful results. It is, beyond all doubt, to its influence and effect alone, that the important and flourishing States of Ohio, Indiana, Illinois and Michigan are at this moment free States ; that slavery would otherwise have been diffused through the Northwestern territory, and thus have been established in the States alluded to, is certain.

Such were the triumphant results of this wise policy, whilst the counsels and opinions of the Washingtons, Jeffersons, and their compatriots prevailed at the south, and equally salutary would have been its future fruits had they not been so widely departed from. It seems to be the destiny of this great country that there shall not be a single local interest or feeling that is not made the subject of political and partisan agitation. From the period of the great civil revolution of 1800, when, by the successful efforts of the democracy of this State, the politics of the Union were changed, and the election of Thomas Jefferson secured, to the present day, the democratic party here have had to encounter the vituperation of their opponents in regard to their course upon the slave question. They have been stigmatized as "hewers of wood and drawers of water" to the large slaveholders of the south, because they were willing to sustain not only their political brethren, but the whole people of the south, in the full enjoyment of their constitutional rights. That our political ranks were constantly weakened by a position so liable to perversion, but which a sense of duty compelled us to occupy, is not to be doubted. But the demands that were then made upon us by the south were so just and constitutional that the idea of abandoning our political allies of the South, in this respect, to the assaults of their and our adversaries, never occurred to the single-hearted democracy of the North. While such was this state of things here, it was not possible to make the slave subject a matter of political agitation at the South. However much it might have been desired, the political association which had so long existed between the democratic planters of the South and the sturdy democracy of the North, a party association which had done so much for the advancement of the true principles of the

government, could not, in the then state of the slave question, be dissolved. Its future continuance has notwithstanding, been brought in jeopardy—and how has this ominous and baleful change been effected? We need scarcely say that it has been accomplished by an entire revolution in the position of the democracy of the South in regard to the slave question.

The reflecting portion of the people every where were astonished by the advocacy, on the part of men distinguished as well for their great talents as for political and social elevation, of a new creed upon the subject of slavery; a creed widely different from that which was entertained by the founders of the republic, and the fathers of our political church at the South. Instead of regarding slavery as an evil, to be restricted in its spread, as far as that could be constitutionally and justly done, we were called upon to regard it as a blessing which deserved to be perpetuated. Instead of regarding the prevalence of slavery in the progress of the republic as an obstacle to be tolerated, because its removal could not be safely attempted, a claim of favor was set up in its behalf, as constituting the surest basis for free institutions. A reversal of the old policy was of course, demanded by the advocates of this new creed. The success at the South of views so repugnant to the common sense and general feeling of almost all mankind was but little apprehended. But those who regarded it thus lightly when first broached, had formed but imperfect conceptions of the facility with which opinions and measures which are claimed to be for the advancement of local interest, may be promoted by connecting them with party politics. Many who would without hesitation have attempted to arrest it if they were sure that this could be certainly done, fell in with the current as the safest course. Politicians, who are ever on the watch, suffer themselves to be alarmed by their apprehensions that the pioneers of the new faith in the section of country where the feeling prevails, will, by its means, if it is left to their sole direction, supplant, in the public counsels, those who dissent or doubt. How far the doctrine to which we refer is indebted to this source for its success in the South we cannot know, and do not undertake to determine. Certain it is, that its progress in the slave States has been sufficient to give rise to the present demand for the extension of slavery to territories where it does not now exist.

It is by no means our intention or desire to arraign the free citizens of the south for originating or for giving in their adhesion to these extraordinary views upon the subject of slavery. They may have been able to satisfy themselves that the aggressive position upon the subject is better than the defensive, and that they have been right in assuming it. Claiming in its plenitude the right of self-judgment for ourselves, we cheerfully award it to them; and it is doing great injustice to the democracy of New-York, to suppose that the difference in opinion which has of late arisen between their old and long-tried political friends and themselves, has in the least degree affected our feelings towards them. No such change has occurred. We, on the contrary, look back with pleasure to the many political battles which we have fought and won in conjunction with them; to the advance which the true principles of our government have received from the exertion of our joint forces. We are sincerely desirous to continue the same party co-operation with them, so long as this can be done without individual or sectional degradation.

But to demand of the citizens of this great State, that after we have, by seasonable action, and what was at the time, though erroneously, regarded as a great sacrifice, succeeded in abolishing slavery from its borders, they should at this day, in the middle of the nineteenth century, in full view of the improved opinion of almost all mankind upon the subject—of the inestimable and incalculable advantage in the increase and prosperity of our State in no small degree attributable to this very exemption,—make themselves parties, either expressly or virtually, by action or inaction, to the original institution of slavery by force in territories which are now exempt from it, is most unreasonable indeed.

It is what we are persuaded that no enlightened or candid man at the South can possibly expect at our hands, however plausible the pretences are on which the sacrifice is asked, and for making which, upon the impulse of a desire for political promotion, they could not fail to despise us.

*Fourthly.* Although such are the opinions we entertain upon this important question, and which we feel it to be a conscientious duty to maintain to the utmost, unless convinced of their injustice and unconstitutionality, we have never sought to impose them upon others; still less have we made an acquiescence in our views of the subject a con-

trolling test in an election, as has been unjustly charged upon us. The annals of our party proceedings may be safely challenged for the proof that any such test has been advocated by us. We have neither made such a test, nor will we submit to it when made by others; nor can the democratic masses of this State be induced to sustain those who do either.

Have our dissenting friends acted in a spirit equally conciliatory and forbearing? After what has been said in respect to interpolations upon the democratic creed by the democracy of New-York, it is due to them, to their determined and disinterested devotion to the cause and to truth, that this matter should be set right. Not to deal in general allegations, always so unsatisfactory, and to enable our statement to be refuted if it be incorrect, we will confine ourselves principally to the acts of a single State. We take that of the highly respectable and patriotic State of Georgia.

No one, we are confident, supposes that in making this selection, we are, in any degree, influenced by prejudice or unkind feelings of any description. Every one conversant with our political history for the last quarter of a century, knows that during that period there has been an almost-unbroken sympathy of feeling between her democratic citizens and those of New-York. These feelings are not, on our part, in the least diminished. The sacrifices which the democracy of New-York have incurred in supporting the particular wishes and interests of Georgia, have been of no ordinary character. It is well known to the men of that day, that by their efforts to elevate Georgia's favorite son to the Presidency, they drew upon their party the most signal overthrow in our State, politics it had ever sustained, a defeat which it took years of patient toil and sacrifice to overcome—that this had scarcely been accomplished, and our wonted ascendancy in the State re-established, when the long pending contest between Georgia and the Indian tribes within her borders, arrived at its crisis. The extent to which it became connected with party politics, and interwoven with the religious feelings of our community, in consequence of the imprisonment of the missionaries, is also known. But the losses which the democratic party of this State sustained by the part they took in that agitating controversy, are not so well known, or may have been forgotten. Believing Georgia to be right, the democracy of this State threw themselves fearlessly into the contest, and sustained her side of the question through one of the fiercest, and for a long time, most doubtful canvasses they had ever encountered. It is not too much to say, that the democratic party of this State sustained a permanent loss of 20,000 votes by the part they took on that question. An occasion is approaching, in which the democracy of New-York will be called to act in concert with their political brethren in other States, in the selection and election of candidates for the highest offices under the government. They enter upon the performance of these important duties under peculiar circumstances. Believing themselves to be right, they have long since taken their stand in favor of the exclusion of slavery from the present and future territories of the United States in which it does not now exist. In the justice and constitutionality of this principle, as has long since been known through the length and breadth of the land, there is a unanimity of opinion among her citizens of all classes, sects, and parties, which has scarcely, if ever, been equalled. Her representatives in Congress, thirty-four in number—differing upon almost all other subjects—had voted in favor of this principle, with but one exception. Her legislators have been neither less prompt nor less united in similar expressions of opinion; and the only qualification of the general voice was in the miserable attempts of a very small number, who, though they dare not openly avow their hostility to the principle, still endeavored to screen their refusal to support it, by a resort to evasions and equivocations of the lowest character.

It is now known that the democracy of New York have no candidate to present for the Presidency. But for reasons which need not be stated, it was then neither unreasonable nor improbable that she might have one, whose views on all public questions were well understood. It was under such circumstances that the democracy of Georgia, which State has never yet, from the establishment of the Government to the present day, cast her vote for a northern democrat for the Presidency, felt themselves called upon to declare, in their State Convention, that they would never support any man for the Presidency who did not come forward and solemnly disavow the principle around which the whole people of New York had rallied with such extraordinary unanimity. The same unchangeable determination was, at a subsequent period, reaffirmed by the Legislature of Georgia, and inscribed on the public and permanent archives of the State. Proceedings similar in principle, though not, perhaps, in their extent, were



had in the States of Virginia and Alabama, between whom and the democracy of New York the same friendly relations have existed, though our claims upon their forbearance may not be so strong. Now, we are unwilling to believe that the highly respectable parties to these proceedings can possibly entertain so low an opinion of the democratic citizens of New York as to suppose them capable of thus qualifying themselves for their support. They cannot, we are sure, believe them such slaves to the lust of office as to suppose that in view of the disfranchising and ostracizing resolutions to which we have referred, and with a full knowledge that the State of which they have the high honor to be citizens, is almost as one man in opposition to it, they could, whatever their own opinion of the principle might be, for any earthly consideration, stoop so low as to take the pledge so imperatively demanded, and thereby subject their name to a load of obloquy over which the waters of forgetfulness would roll in vain. If we are right in this, as we cannot but be, then in what other light can we regard these exciting resolutions, than as so many decrees that unless the State of New York will openly retract opinions which it is well known she has deliberately formed and repeatedly expressed, upon a public question of vital importance, her sons shall henceforth be excluded from the honors of the republic? Such a test may be imposed on the democratic candidate for the Presidency; the citizens of New York may be thus ostracized—its representatives in Congress and in the legislative halls, its presses, public speakers, and even electors, debarred from participating in the canvass, and the State thus surrendered to our political opponents; but we should be unmindful of our high trust, and unjust to our brethren of the Union, if, knowing the sentiments of northern freemen, we did not declare that any candidate for the Presidency, presented upon such principles, and qualified by the degrading submission they seem to require, must inevitably meet with defeat and disgrace.

*Fifthly.* Whilst we have witnessed, with feelings of respect and gratitude, the solicitude evinced by our friends in other States in regard to the schism which has existed, and does still, to a limited extent, exist in the Democratic party of this State, we have seen, on the other hand, with mortification and regret, the unjust and unfounded opinions promulgated upon the subject in quarters from which we had a right to expect more correct views. It is due to all concerned, that the causes of that schism should be truly and explicitly stated. We shall do this with the frankness that we intend shall distinguish all the proceedings of this Convention.

There has scarcely ever been a period in the history of our party when it presented so formidable a front to its opponents as in the winter of 1843, and the spring of 1844. Guided by the counsels of men who, by lives of political probity and consistency, had earned its entire confidence and warm affections, and its masses perfectly united on their candidate for the Presidency, there was no calculation upon its efficiency that seemed extravagant. Officers of the General Government were indeed posted in the lobbies of the legislature seeking to create distraction, and to prevent that body from reflecting the wishes of their constituents—officers and emissaries who are still at the same work, and not a few of whom, we are sorry to say, are still basking in the sunshine of Federal patronage. Their efforts were, however, without avail, and the legislature broke up with an expression of opinion which reflected the will of their constituents, and was adopted with unusual unanimity. The Baltimore Convention followed, and of its results and proceedings we need only say that they came upon the Democratic party of this State with an effect at once astounding and disqualifying. Two opinions rose promptly and spontaneously to the minds of all reflecting men, and those were 1st: That the election would, in all probability, be controlled by the vote of this State—and 2d: That that vote could only be secured to Mr. Polk by the nomination for Governor of the ever lamented Statesman, SILAS WRIGHT. The prominent men of the party, notwithstanding the keenness of their disappointment and their dissatisfaction at the means by which their wishes had been defeated, did not hesitate a moment in stepping forward to rescue, as they then supposed the democratic party from the dangers that surrounded it. To bring about the desired nomination for Governor it was for some time deemed indispensable that the highly respectable citizen who then occupied the Executive chair and is now the incumbent of the most responsible office in this State by the appointment of President Polk, should be prevailed upon to decline a re-nomination. This he refused to do. It is known to many that the enjoyment of the office of Governor in whatever form conferred, was as opposite to Mr. WRIGHT's wishes, as his friends knew it to be adverse to his interests, but only an

actual observer could appreciate the aversion with which he contemplated the use of his name for the defeat of Gov. Bouck's re-nomination, in case Gov. B. desired a re-nomination, or the unfeigned regret with which he finally bowed to the mandate of his party. The fact of his nomination and the consequent success of President Polk are known to all.

There is in all parties a band of dissatisfied men secretly hostile to the powers they profess to support. Mr. WRIGHT's administration commenced in January, 1845, and that of Mr. Polk in March. The class of men to which we have alluded was in this State powerless of itself. But there was at this time another composed of able men whose relations to the democratic party were less impaired, and who constituted an important part of the State Senate. They were deeply dissatisfied at the displacement of Gov. Bouck; to some it was a disappointment of cherished schemes of personal aggrandizement, and to others it was offensive as a mortification of an amiable citizen for whom they had a warm regard. The former were unavoidably hostile, and the latter might become so in a certain event—together they were capable from their ability, experience and official position, of seriously obstructing the State administration, and distracting the party. In the few months that intervened between the commencement of the State and National administrations, every thing was smooth upon the surface of these elements of discontent. All reflecting men saw that the future cordial support of the State administration, and the consequent harmony of the party, depended upon the President's selection of the representative of the New-York democracy in his cabinet. If it was such as to give assurance that opposition to Mr. WRIGHT would be frowned down at Washington, tranquillity was assured—if the reverse, materials of discontent only awaited encouragement from abroad to take the form of a third party in the State.

The selection of the individual who was to speak the opinions and wishes of the democracy of New-York, in Mr. Polk's cabinet, was finally made; and the effect it produced on those here who had been made hostile to Governor Wright by the sacrifice he had made of himself, and of his fondest desires, to secure the election of the democratic ticket, was instantaneous, universal, and most decisive. The belief that Governor Wright would be the man to whom the democracy of this State and of the Union, would look at the next Presidential election to redress the injustice which had recently been done to her, was general. Although placed in this attitude, without any agency of his own, it very readily occurred to the sagacious malcontents at Albany, that every rival-aspirant would exert his energies to weaken Mr. Wright's position, and impair the weight in the national scale of a State which had just given such a striking proof of its great capacity and irrepressible energies. However erroneous this conclusion may have been, its full adoption by them is very certain, and the immediate consequence was a virtual severance of themselves from the friends of the State administration, and concealed, but not the less active opposition to its measures, with unceasing hostility to Governor Wright, and determined opposition to his future advancement—all looking to an ultimate organization as a separate faction if they should fail in getting possession of the democratic party of the State. Nothing which Governor Wright could have done consistent with the faithful performance of his official duties, could have shaken, much less overcome, these resolutions. In this way, and from such impulses, arose the conservative faction, in this State—a faction which secretly or openly opposed the administration of Governor Wright through its whole course; embittered the life, and by secret intrigues, defeated the re-election of that great and good man, and which after his death succeeded at Syracuse, as it supposed, in advancing the object for which it was originally organized, viz: the prostration of the consolidated and rightful influence of this great State with the democracy of the Union. This faction soon learned that in the democratic party it was powerless. So early as the spring of 1846, therefore, it organized itself in the county of Albany into a separate party to which not only all the officers of the general government residing in that county, and the intimate friends of the Secretary at War belonged, but which was notoriously created, and directed by, and almost wholly constituted of such officers and friends. The pretended regularity of this organization was submitted to the State convention which nominated Silas Wright in 1846, and declared spurious. Refusing to abide the arbitrament they had invoked, its members not only maintained their organization, but by subsequent inflammatory appeals to the democracy at public meetings, and through the press, up to the very moment of the fall election, rolled up an unprecedented majority of 2,800 against

Governor Wright in the county of Albany, and insured his defeat in the State. Their labors did not end here. Delegates from this spurious organization were sent to the Judicial State Convention in the spring of 1847, and again pronounced counterfeit. In steady prosecution of the original object, efforts were then made to extend this irregular organization to the rest of the State, and to combine it at the Capitol. The original conspirators and their friends accordingly assembled on the 26th of last month, at the seat of the conspiracy, and the theatre of its first exhibition, under circumstances of imposition and audacity never even approached in the annals of our party warfare, and have undertaken to perfect their organization throughout the State, and to speak to you, and to our political brethren throughout the Union in your name. Bolting from the democratic party which has imposed no tests, and covering their defection under the false charge that it has, they ally themselves with a southern and slaveholding faction which demands of the democratic candidate for the Presidency, as a qualifying test, a renunciation of the cause of human freedom. Committed in every form of speech, writing and action, to your established usages of choosing delegates to a national convention by a State convention, and of calling State conventions by legislature caucuses, they secede from your ranks because instead of submitting to the Syracuse usurpations you ask and exercise the privilege of determining for yourselves whether those usages shall be changed.—Nurtured and fed, if not begotten at Washington, and assembling at the capital of the State, under the call of a central committee which overrides all local organization, they declaimed against an extinct central power, which lives only in the memory of the abuses they themselves perpetrated by it. Leading, active, notorious and unyielding opponents of the call for a convention and the new Constitution which swept away these abuses, they boldly assume the inception of the movement out of which these salutary reforms grew. Rich, swollen and glutted with the profits of bank stock, public printing, and domestic manufactures, they shout against banks, monopolies and special legislation, and hurrah for free trade, which they lobbied to defeat, with a strength, confidence, and apparent ardor that render the original and consistent opponents of all these great abuses, and of the Tariff of 1842, inaudible if not imperceptible. Prominent, conspicuous and odious members of the only Regency ever described by the Whigs, they turn upon themselves with a fierceness and fatal precision that would be certain suicide, if they were politically alive. But we forbear further comment on inconsistencies so glaring and transparent.

Pretences, futile in their nature or false in fact, to excuse their opposition to Gov. Wright, on the ground of his own acts, have been and will continue to be resorted to, but whatever may be the case with those who are remote from the scene of action, no honest man here who knows the parties, or has witnessed the transactions to which we have referred, will, for a moment hesitate in giving to the motives, objects, and creation of this faction, the character we have ascribed to it. The correctness of the interpretation of the feelings and wishes of the Federal administration which this faction so decidedly adopted, and have ever since most unhesitatingly continued to act upon, it is not our present purpose to determine. We are aware that its accuracy is denied by those who are the best judges of their real wishes and intentions. We are content to leave the validity of that denial to the unbiassed judgment of those interested. Should any circumstances arise which make the avowal of our own opinion upon the point important or necessary, to the vindication of any course we may find it necessary to pursue, that opinion, with the reasons upon which it is founded, shall be unreservedly given. To the present explanation this is not necessary.

Among the friends of Gov. Wright whom he thought deserving of a place in the National Cabinet, there was not a single one by whom its acceptance would not have been regarded as a sacrifice of personal feeling and interest, or who could have been induced to accept it from any other motive than a sense of public duty. The official favors of the President might have been scattered through the State with a discernible bias in favor of the opponents of the State Administration, without the slightest danger of a serious rupture in the party. Here and there he might have met with an indignant remonstrance, but its effects would have been limited and temporary, for it is justly due to the sterling democracy of New-York, whatever those who choose to underrate its patriotism may speak or think of them, to say, that upon its masses the patronage of no government can make the least impression. If proof of this be required, we have only to refer to the present condition of the democracy of the cities of New-York and Buffalo, and the manner in which they are known to have been treated

in this respect. Private griefs on the part of the democratic party, or of any of its prominent members, have therefore had nothing to do in producing the present state of things. The evil under which we have suffered, is the deliberate formation of a faction by the means we have described, in what was once the democratic ranks, and which seeks the prostration of the political influence of this State before that of its peers in the confederacy—a faction which was engendered by the conviction, that it would receive aid and comfort from without, and which is alone sustained by the impression, whether well or ill founded, that its members are the favorites here of the General Administration. If asked how long this state of things is to continue, we can only say, put the same question to any sensible man you meet with here, whether he believes that the faction represented by the recent Convention at Albany, or the individuals who composed it, would with the knowledge they possess of their present condition in the State, continue their disorganizing and distracting schemes, if they were confident that it would injure their influence and standing with the General Administration, and in ninety-nine out of a hundred cases, he would unhesitatingly say, “No, by no means”—and such is also our own opinion. There are doubtless many honest men yet allied to this faction, although their numbers are diminishing with unprecedented despatch. But the leaders who originally formed and still direct its course, are among the most experienced and cunning tacticians in the State, who quickly understand when there is a desire that they should do so. Let them be made to know that the stupendous fraud they are concocting to neutralize the influence of this State in National politics, will be remembered to their disadvantage at the seat of power, and we will vouch for it, that within one month, the democratic party of this State will be restored to tranquillity, and the efficiency which it possessed before the, to it, disastrous campaign of 1844, be speedily revived.

Fellow citizens: Having thus to you, or in your name, expressed the sentiments in regard to national affairs which we deem the occasion demands, let us briefly call your attention to the position and history of our State politics. The first reflection that naturally rises in this connection to the mind of one familiar with the relation New-York has borne to the Union, (aside from the establishment of principles,) is a recollection of the vast disproportion between the honest aid our democracy have given to the democratic party of the Union and the returns that have been made. From the great overthrow of federalism in 1800, until the final contest of 1844, the democracy of New-York have been true in their allegiance to their brethren of the Union, and their strong arm has generally given the victory to the democratic cause; and yet, during that long period, how rare have been the instances when, from some undefinable cause, influence at Washington was not wholly wielded by citizens of our State, destitute of standing or weight at home? Yet this mortifying experience will not be without its use, if it teaches those who take a higher and deeper interest in political action than the love of office can inspire, the undeniable truth that our own State presents a field of political progress far more encouraging and worthy of improvement, than that to which their attention has been, heretofore, so largely directed. With a population outnumbering that of many European nations—identified in feeling and interest to a degree far exceeding those of the Union—rich, prosperous, and free—an opportunity is here presented to advance the true principles of civil government abundantly adequate to satisfy a reasonable ambition. The democratic fabric, indeed, is at present in ruins prostrated by the great victory of 1844—but we are used to adversity, and schooled in its uses. All that the indomitable democracy of New-York want, to enable them to rise with renewed vigor and strength from their fall, is a fair field, and no false friends. History is philosophy teaching by example, and of all history that of the democratic party of New-York is most instructive in this wise. Springing from the revolutionary war, and connected with the feuds that had arisen in the fierce civil contests between the great families of the State, it became, in no small degree, the sharer of struggles in which personal feelings, friendships, and antipathies had as much, if not greater weight, than a desire for the establishment of just and wise political principles.

Many views which could not now be regarded as in any sense liberal were still adhered to, because they were in favor under the monarchy, and had formed no part of the issues which had produced the war. But the glorious spirit which gave rise to the revolution, and which is, by its nature, at war with all abuses in government, constituted the corner stone of what was first the whig, then the anti-federal, afterwards the republican, and now the democratic party. Its workings were embarrassed, and

its advance obstructed, by old associations and unwise habits of thinking on the part of many of its most zealous advocates; but it worked on. Slow at first, it has nevertheless developed, is now developing, and will continue to develop its powers until our political regeneration is as complete as the most ardent friends of the rights of man could desire. Even a rapid review of our party history through the long lapse of years that has intervened since its formation, cannot fail to prove instructive, especially at a moment like the present. Powerful as it has been, and can be again, no adequate opportunity for the display of the beneficial effects which the spread of its principles is capable of producing, has yet been afforded.

The attention of our leading politicians has been too much diverted by temptations from abroad, a tendency to which we desire to fix more reasonable limits for the future. In seeing what has already been accomplished, we may infer what may hereafter be effected by a steady and disinterested perseverance in enlightened and virtuous political action.

The obstacles which have, for such a series of years, retarded the advance of the principles which should govern a party that is democratic in its faith, as well as in its name, are:—

*First.* Its connexion with the banking system of the State. Hosts of our firmest friends have been seduced by the temptation of being able by its means to live without labor, and have been rendered, through its influence, disloyal to their professed principles, and have for the most part become, in the end, alike useless as well to their party as to themselves. We, by this connexion, also made our party responsible for the extent to which the representative system was degraded by legislative corruptions, through bank influence, and for the plunder of the working classes by the banks themselves, through a worthless paper circulation. It was difficult for the masses to retain confidence in professed democrats who became parties to such schemes, and our cause suffered through their venality, or indiscretion, or both.

*Secondly.* The support for so long a period given by the democratic party to the protective policy in the extent to which it was carried, has been another source of weakness; the truth now so prevalent, that under the fraudulent disguise of an intention to promote the prosperity of the farming and mechanic classes, were concealed by the initiated the design and effect of making the rich richer and the poor poorer, was well understood by the democratic masses before it was appreciated by their leaders. The numerous princely fortunes which have within a few years been accumulated by the favored few, whilst the business operations of all other classes were unproductive, have at last opened the eyes of all unprejudiced observers.

*Thirdly.* The concentration of the power of appointment to office at the seat of government, was for a long time a prolific source of popular distrust and discredit. Springing from an undeserved distrust of either the intelligence or honesty of the people—its existence was a cause of offence to them, whilst it afforded to the intriguing politician and the venal courtier rewards and honors which, under wiser regulations, would have been given to the virtuous and deserving citizen.

*Fourthly.* Special and exclusive legislation, one of the worst and most dangerous abuses of political power, flourished almost as much under a nominally democratic as under federal sway.

*Fifthly.* Appearances, false in fact, but plausible in their nature, have for a succession of years exposed the democratic party of this State to the imputation of being the abettors of human slavery. The vulnerable character of its condition in this respect has, of course, not been left unimproved by our opponents, and year after year has this consideration deprived us of thousands of friends who, before this delusion took possession of them, were sincere, intelligent, and devoted democrats; but who, finally, sank into the fanatical ranks of abolitionism.

These counteracting elements, and others that might be adverted to, have been constantly at work to retard the onward march of the democratic party. But how successfully have they been met and overcome by the spirit of liberty which gave it birth and watches over its growth. Two successive new constitutions have been framed and adopted—the scramble for bank charters no longer disgraces our halls of legislation—trade is freed by the Democracy of the Union from the shackles which bound it, and the treasury of the people declared and made independent—the centralization of power at the capital is destroyed—special privileges and immunities have given place to acts of general legislation. By a fortunate accident, or a special providence, the assumption

by slaveholders of a new and indefensible position on the subject of slavery, has enabled democrats to stand forth in their natural and true attitude, as the champions of human freedom; and better, far better, than all or either, the advocates and beneficiaries of all these abuses and obstructions, have formally, and in a body, abandoned the democratic party and set up for themselves. Of all the displays which the vital principle of freedom has exhibited, the last is the most striking and grateful. The democratic party of New-York moves on without the fetters upon its action that selfish and sinister influences have hitherto imposed. It invites to its ranks the just, and virtuous, and true. It will welcome them to a standard which is unfurled, after rare defeats, with redoubled energy, and the hope of more enduring ascendancy. On it are inscribed "Free Trade, Free Labor, Free Soil, Free Speech, and Free Men."

A brilliant future opens upon our prospect. A convention to frame a new constitution—the cherished object of a long struggle—eventually obtained the support of a vast majority of the electors of New-York. The new constitution to which it gave birth, secured most of the valuable reforms for which true democrats labored, and became the organic law of the State, with the hearty assent of the people. The war in which we are now engaged, commands the support of all true patriots, and in this State, notoriously, is not the subject of party division.—The sacred principle of consecrating free soil to freedom, enlists the warm support of our electors, with insignificant exceptions. The great principles of the democratic faith, having thus secured a warm and generous approval, the measures to give them practical application having thus signally triumphed, who ventures to doubt that on the first presentation hereafter of the great principles of Democracy in the persons of candidates truly representing them, the free-men of this State will, with their accustomed power and fidelity, incline victory to the democratic standard? We should gladly unite with our brethren of other States, where union is practicable, upon just and honorable terms; but without their assistance, our unaided energies can secure to the democratic party a dominion, which for extent, resources, cultivation, and enlightened constitutional liberty, may well be styled an Empire of Freedom.

Messrs. RATHBUN, of Cayuga, and NYE, of Madison, then addressed the Convention, after which it adjourned to 10 o'clock the next day.

#### SECOND DAY.

The Convention met pursuant to adjournment, when Mr. DOOLITTLE, from the committee for that purpose, reported a series of resolutions. The resolutions were, with some amendment, unanimously adopted, as follows:

#### RESOLUTIONS.

*Resolved*, That the Democracy of the State of New-York hold to a strict construction of the Constitution of the United States and of this State; the independent sovereignty of the several States in all their reserved rights; eternal vigilance against any encroachment by the General Government upon the rights of the States, or by the State upon the equal and natural rights of the individual; free labor, free soil, and free trade; freedom from public debt; freedom of worship; freedom of speech, and freedom of the press: An independent treasury; a revenue tariff, at present, to meet the ordinary expenses of the government; no distribution of the proceeds of the public lands among the States, and no monopoly thereof by land speculators;—peace with all the world, so long as it can be maintained without a sacrifice of national character; a vigorous prosecution of the existing war with Mexico, until we obtain an honorable peace upon a just and sufficient indemnity; and that they desire the preservation of the nationality of Mexico, and no incorporation of its populous states as a part of the American nation; and are prepared to resist the introduction of the European doctrine, of the balance of power upon the North American continent, cost what it may, of treasure or of blood.

*Resolved*, That a public debt is the strong fortress behind which the money power securely raises itself to the supremacy in the State, and wields a sceptre more potent for mischief, because unseen, than the sceptre of kings over the interests of the public; that the republican system, though existing in form, becomes a mockery and a delusion when the agents of the people in the halls of legislation, or in the Cabinet, are subjected to the influence of the money power, whether it be in the form of corporate usurpation, profa-

sion of expenditure, or a government exchequer; and that we have witnessed with profound gratification the efforts of the people of this and other States to stay, by the interposition of constitutional barriers, the further progress of this dangerous usurpation of the rights of the people to self-government.

*Resolved*, That the measures of the General Government calculated and designed to establish commercial freedom, equal taxation, and the constitutional currency of gold and silver, are entitled to the strong and abiding approval of the democracy of this State and nation.

*Resolved*, That these measures of salutary reform should not only be maintained by the best efforts of the democracy, but others proposed and carried out, which shall secure a retrenchment of the expenses and patronage of the Federal Government, the abolition of all unnecessary offices and salaries, and the exercise by the people of the right of electing all local officers in the service of that Government, so far as the same may be practicable.

*Resolved*, That in the opinion of this Convention, it is the duty of Congress, during its present session, to provide a territorial Government for the people of Oregon, and to organize such other territorial Governments as are necessary to protect the rights of the American citizen, who has abandoned the home and friends of his youth to conquer the wilderness of the far West, and carve out inheritances for the rising generation.

*Resolved*, That while the democracy of New-York, represented in this Convention, will faithfully adhere to all the compromises of the Constitution, and maintain all the reserved rights of the States, they declare, since the crisis has arrived when that question must be met, their uncompromising hostility to the extension of slavery into territory now free, which may be hereafter acquired, by any action of the Government of the United States.

Whereas, the President of the United States in his last annual message, has recommended the establishment by Congress of Territorial Governments over the conquered Mexican provinces of New Mexico and California, and the retention thereof as an indemnity; in which said territories the institution of slavery does not now exist, therefore—

*Resolved*, That our Senators and Representatives in Congress be requested to use their best efforts to insert into any act or ordinance, establishing any and all such provisional or territorial government or governments, a fundamental article or provision which shall provide, declare, and guaranty, that slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been first duly convicted, shall be prohibited therein so long as the same shall remain a territory.

*Resolved*, That while the democracy of New-York feel called upon by their regard for principle, and a conviction of duty, to reiterate this emphatic declaration of their sentiments and wishes, they have not now, nor have they ever had, any desire to prescribe a test in the Presidential canvass, which might prevent the union of all who sustain the general principles of the democratic creed; and that they deeply regret that any of their Southern brethren should have unwisely laid down a platform inconsistent with that union, and inevitably tending to break up a national party into sectional divisions.

*Resolved*, That the distinguished purity, the unselfish fidelity, the noble sense of honor, and the superior mental qualities, with the many other excellencies of the late SILAS WRIGHT, presenting in his character a combination of moral worth and intellectual power unexcelled in the elements of true greatness, and of which every particular united in singular harmony to increase the admirable beauty of the whole, as well as his long course of high public service, and the patriotic zeal and devotion which marked it, are richly deserving of the love, gratitude, and respect of the people to whose service he gave his life.

*Resolved*, That this Convention will not withhold the expression of its confidence in the civil wisdom and public and private virtues of THOMAS H. BERTON of Missouri. By his powerful and uniform support of the principles of Jeffersonian Democracy, throughout a long and illustrious senatorial career, characterized by unparalleled industry and devotion to the interests of the country, he has won a proud pre-eminence among the statesmen of his day, and endeared himself to the masses of the American Democracy.

*Resolved*, That the Hon. JOHN A. DIX, of the Senate of the United States, by his high and noble bearing in that distinguished body, has become justly endeared to the democratic party in this State and throughout the Union, and we rejoice in him as a most worthy successor of the late lamented Silas Wright.

*Resolved*, That we recognize the State Central Committee duly appointed for the term of two years, by the Democratic State Convention held at Syracuse on the first day of October, 1846, as being still the State Central Committee of the Democratic party of this State.

*Resolved*, That this Convention are in favor of, and recommend the holding of, a Democratic State Convention, to be composed of one delegate from each Assembly district, for the purpose of nominating candidates for Electors of President and Vice President, and for such State officers as are to be chosen by General Ticket at the next fall election.

Mr. BOCKEE, from the committee of thirty-four appointed for that purpose, reported the names of thirty-six Delegates, and their alternates, to represent the Democracy of New-York in the National Convention to be held at Baltimore in May.

This address and resolutions were followed by able speeches from John Van Buren and Hon. George Rathbun. Mr. Van Buren's speech was chiefly in exposition of the resolutions and the position of the party in regard to the great questions which have heretofore politically divided the people of the country.

We commend the following extract, from Mr. Rathbun's speech, to be read and compared with the letter of Gen. Cass to Mr. Nicholson, in a preceding chapter, by every voter. This extract not only sanctions but proves far more than we have said in our comments on the Nicholson letter. Whether or not it proves an absolute bargain for the nomination between the Nominee and the South we leave the reader to judge. Mr. Rathbun then represented in Congress the 7th District of this State, and is a man of high and unimpeachable character.

Mr. Rathbun said:— \* \* \* \* \* We stand upon the Ordinance of Freedom of 1787, by the side of JEFFERSON. Here the whole people of all the States stood, until John C. Calhoun introduced the new test—the new creed in politics and morals—that “Slavery is the greatest blessing that God ever bestowed upon man.” We do not subscribe to this new doctrine. The Union, the big organ, and the Argus, its echo, the little organ, follow Calhoun, and denounce the democratic party of this State because it adheres to the old platform of liberty.

Mr. President—the venerable Senator from Michigan, once an ardent advocate of the Jeffersonian Ordinance of 1787, has discovered some new light, and I understand has recently written a letter to Tennessee, in which he avows himself the advocate of slavery extension. This is a sudden and radical change in the views of that distinguished Senator on that question, and I propose to inquire briefly into the reasons of that change. Mr. President, I know very well the views and feelings of that Senator in the month of August, 1846. I learned them from his own lips. On the day that Congress adjourned, and at the time that Senator DAVIS, of Massachusetts, spoke up to the adjournment of the Senate on the Wilmot Proviso, I met the Senator at the Railroad depot in Washington, and rode near to him and conversed freely with him between that place and Baltimore. The Senator appeared somewhat excited, spoke freely and with a good deal of energy on the subject of the “Proviso.” He stated to me, that every northern democratic Senator had agreed to vote for it, and but for Mr. Davis' speech would have voted for it. He said repeatedly, that “he regretted very much that he could not have recorded his vote for it, before the adjournment.” I expressed as much regret as he did, but not precisely for the same reason. *I desired the record*—he the popular applause. He said he never regretted any thing more than the failure to record the votes of Senators. Indeed, sir, this was the principal topic of conversation to Baltimore. This, Mr. President, continued to be his language all the way to Michigan, as I understand. When we met again at the capitol, I thought I discovered some symptoms of that change in the Senator's views on the subject of the Proviso, which he has since by his vote, and letter, so clearly demonstrated. Mr. Brinkerhoof of Ohio, one of the ablest, and firmest supporters of the Proviso, an honest and sincere Democrat, I know was a warm friend of the Michigan Senator, and preferred him to all others as the candidate for the Presidency in 1848. I mentioned to him my suspicions. I told him the Senator was in the chrysalis state, and that in my opinion he was preparing to desert, to turn traitor to the North, to freedom, and to



become a soldier under the black banner of Aggressive Slavery. Mr. Brinkerhoof denied, disbelieved, and thought I was doing injustice to the Senator, invited me to go with him and call on the Senator, and I would be satisfied I was mistaken. I expressed my willingness to go with him at any time, and assured him of the great pleasure it would afford me to find myself mistaken on this point.

Mr. President, at the suggestion of Mr. B. we proceeded at once to the room of the Senator. We found him somewhat bustling and busy in his preparation to go out. Mr. B. led off in some casual remarks about the Proviso and its prospects—the bustle increased a little. The Senator “thought it premature,—better to give it the go by this session, nothing to be gained by pressing it now—sufficient for the day is the evil thereof.” I was anxious to bring the thing to some point, and for that purpose remarked to the Senator that there were important reasons for pressing that question to a vote in both branches, which probably had not occurred to him, and they were these: the South had usually carried their points against the North upon all questions; that when necessary they had always found dishonest men enough in both houses of Congress, who would sell out and enable them to succeed, that the same state of things still existed—that there were men enough in the market to defeat the Proviso, and that it would be defeated; that we should be betrayed as we always had been, but that the defeat would be harmless, nothing would be settled by it, the question would remain open, and the people who had dishonest representatives here, whose rights were to be bartered and betrayed, would have time to get rid of the traitors and send honest men in their places, before the final settlement of the question, and thus we were to be saved. The Senator replied, “Oh, if it comes to the vote, I am with you, you know.” “Of course you are,” was the reply, and thus we separated. This conversation was some three weeks previous to the vote taken on the Proviso.

But Mr. President, this is not all I have to say of the Senator from Michigan and his marvelous change. About two weeks previous to the vote which was taken on the Proviso, I met in the streets of Washington, a gentleman of distinction from one of the Slave States, now a Senator in Congress, who inquired of me what I thought of General Cass? My reply was, very little. “Will he do as he agrees?” asked he. I answered him that, that depended, in my opinion, altogether upon the consideration. “Well,” said he, “if he should promise to vote against the Proviso upon the ground that the South are to support him as a candidate for the Presidency, do you believe he would do so?” I told him there was no doubt about it; upon that consideration he was as sure as death, and I thought he might, if he wished, throw in the hanging of a few northern men in addition. Mr. President, I do not undertake to say here, that Mr. Cass made a bargain or the bargain which I have just referred to. I can only say, that the gentleman who informed me of the fact, is a man of honor and unquestioned veracity. He was not a party to the bargain, but simply gave it his assent, providing the General fulfilled on his part, which he has since done to the letter. Mr. President, I have not seen the Senator’s Tennessee letter. I do not know its contents, except on information. I am told he says in that letter, that he thinks he sees, and really feels a change going on in the Free States against the ordinance of freedom, and in favor of the extension of slavery. It is said, that the change in the Senator is so complete, that he avows his readiness in that letter to veto, if he should be President, the Ordinance of 1787, an ordinance drawn by Jefferson, voted for by every member of Congress except one, and which gave to the State of Michigan universal freedom, and will ultimately make her one of the great States of the Union. Such a man is unworthy of the confidence or support of any democrat. No honest man, of any party can vote for him. He is worthy of his party in this State, and they of him. He is the embodiment and true exponent of the principles of Edwin Croswell’s Convention. His nomination by any party would defeat it in this State, by more than one hundred thousand votes.

His gaze upon the glittering walls of the *White House*, has obscured his vision, his head became giddy, and he mistook the imaginary whirl and change of scene, for something real. He gave a desperate leap for the *White House*, and will light in the mire and filth of the wrecked hopes and blighted prospects of an ambitious but worn out politician. The Senator is a little too fond of hobby-riding. He mounts every one that comes within his reach, applies whip and spur until the poor thing is run into the ground. Now he is mounted upon a poor little ill-looking, black, long-haired, long-eared, shaggy poney, whipping, spurring, puffing and blowing, in favor of Slavery, as the direct road to the Presidential chair. He goes the whole for slavery, nothing for

freedom. His competitors in the field are mounted much after the same fashion, all on the same hobby; some are all for slavery, some for half; some for about 36° 33',—not one in the crowd on the Presidential race course, shouts for freedom and free labor, or is mounted on a nag that bounds from earth to heaven with the power, spirit or energy of freedom. I do not desire, Mr. President, the election of such men. I cannot tolerate a Northern man who will degrade himself and his country in the estimation of all good and true men, for the sake of an office.

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## CHAPTER V.

BALTIMORE CONVENTION—VOTE OF NEW-YORK ANNULLED—BARNBURNERS RETIRE—NOMINATION OF GENERAL CASS—ADDRESS OF BARNBURNER DELEGATION—UTICA CONVENTION OF JUNE, '48—NOMINATION OF MARTIN VAN BUREN AND CHARLES F. ADAMS—RESOLUTIONS—LETTERS OF THE NEW-YORK DELEGATES AND MARTIN VAN BUREN—ADDRESS OF THE CONVENTION.

### BALTIMORE CONVENTION.

This Convention assembled May 22d, 1848, to nominate a President and Vice President of the United States. Its sessions extended through five days, nearly four of which were consumed in the organization. It is clearly evident from the character of these proceedings, that the issue, both as to the nomination and the admission of the contested delegates, was foreseen and bargained for prior to the action of this body; that the influence which created the Syracuse or Albany delegation, and the force which moved its machinery, had other locality than New-York—the territory it claimed to represent. It is seen in the effort to stifle the voice of the Utica delegation before the bar of the Convention—to bar the facts in the case from having their due influence upon the individual minds of its members prior to the decision; in the degrading test applied, and which, if in like manner applied to every other State, would have instantly dissolved the Convention; in the declaration of Mr. Hannegan, of Indiana, that he was bound by instructions before leaving home, to admit the Hunker and exclude the other delegation; and finally, by the assertion of Mr. Strange, of North Carolina, that by claiming the right and holding the principles of the Wilmot Proviso, the Barnburners virtually excluded themselves. The South would not give them admission. The claim of the Utica, or Barnburner delegates was fair and candid, based solely, as were those of all other States, on the evidence of their credentials; and by every step in this action, nothing can be clearer than that the fraud, begun at Syracuse, was here to be consummated.

## FIRST DAY.

Mr. Wheeler, of N. C., presented the following:

(a) *Resolved*, That a Committee of one from each State be appointed by the delegates from that State to report the number of delegates in attendance, and to examine the validity of their credentials.

Mr. Cone, of Georgia, offered the following Resolutions as a substitute:

(b) *Resolved*, That a Committee be appointed to examine the credentials of delegates, and to report to this body the number of votes to which each State is entitled, and the number and names of the delegates present from each State, who are entitled to seats in this Convention.

(c) *Resolved further*, That said Committee be composed of one member from each State, except the State of New-York, (and two members from that State,)—the delegates from each State to appoint one member of said Committee; and in the case of New-York, that each of the two sets of delegates present from that State appoint one member of said Committee.

(d) *Resolved*, That the States be now called for the purpose of making said appointments.

A warm discussion ensued, in which Mr. Cone, of Ga., Mr. Hannegan, of Ind., Messrs. Cambreling, Tilden, and Preston King, (Barnburners,) Mr. Dickinson, (Hunker,) of New-York, Mr. Yancey, of Ala., Mr. Toucey, of Ct., now Attorney General of the United States, participated.

The last Resolutions, (b c d) were adopted; but the objection being raised that the question was not fully understood, the vote was re-considered. Mr. Yancey then moved to strike out the last clause of the second, (c) which gave each set of delegates power to appoint one of the Committee, and the motion was sustained.

Mr. Tilden, of N. Y., said, I wish to say on the part of the delegates appointed by the Utica Convention, that we shall desire to be heard upon the main question before the whole body of this Convention, upon the merits of the controversy. We consent that so far as the mere statement of fact is concerned—

[Cries of "question."]

The Chair. The gentleman is addressing the Chair upon a subject not connected with the question before the Convention.

Mr. Tilden. The Chair will see, presently, if he hears me, that it is direct to the question. [Loud cries of "question."] We desire to have the substitute so modified as to secure us such a hearing, if modification be necessary, in order to attain that object. The decision of this case is looked for with great interest by our constituents. It is interesting to the citizens of the State of New-York—interesting to democrats in all parts of the Union. It involves the vote of the largest of the States, in the Presidential election, and in all human probability will govern the result of that election. We desire the collective judgment of this assembly upon the facts as they may be eliminated and presented by the Committee. [Cries of "question," "question."] If the Chair will be good enough ["question," "question,"] to have the substitute again read, I will suggest an amendment, which, I think, will answer this purpose.

The substitute was then read.

Mr. Tilden continued amid loud cries of "question," "question," and "hear him," and said: I propose that it be so modified.

The Chair. Will the gentleman be good enough to reduce it to writing.

A Member. I move the previous question.

Mr. Tilden. I have the floor, sir.

A Voice. Will the gentleman raise his voice?—His speaking does no good in this part of the house.

Mr. Tilden. We came here prepared to discuss this question fairly and fully

A Member. I call the gentleman to order. I do not think this is the proper time to debate the question. The Chair. I understand the gentleman as speaking to the amendment which he proposes to offer.

Mr. Tilden. Allow me to say that I hope, in the discussion of this question, there will be a determination on the part of all the members of this body, to investigate it with kindness and fairness; that no effort will be made by technical artifices to prevent a fair hearing and a just judgment.—[A voice. That is civil.] I regret that, in making this very simple proposition, which the Convention ought to be glad to listen to, as it ought to be anxious to decide this great question justly and wisely, I should be heard with so much impatience as I see manifested all around me. I regret that such impatience should be manifested in regard to a question which may vitally affect the whole object for which this Convention is assembled. What we desire is, to be heard as to the validity of our claim to represent the democracy of the State of New-York in this Convention. We desire that the Committee should investigate the facts, and report to the Convention for its judgment. I am sure I have only to state this proposition to insure its acceptance. Mr. Tilden then moved to amend the first (b) of Mr. Cone's resolutions, so as to empower the Committee to report the names of delegates who claim to be entitled to seats, *together with the facts on which the claims for the contested seats are founded.*

Mr. Preston King then remarked with feeling and earnestness, "I believe that this question between the two delegations is in a nut-shell. It may be settled in an hour. It is certainly important, however, that the facts should be known by the gentlemen who are to decide upon the case. It is a monstrous proposition which is presented in this resolution. We were unprepared to suspect that this question was to be consigned to a secret committee room, there to be decided upon without a report; and, as the gentleman from Indiana would intimate, without any previous investigation of the facts. Is this convention to dispose of this question by caucussing or other combinations elsewhere? I can tell gentlemen that some apprehensions have been entertained in New-York that this question might be disposed of in some such manner. I shall certainly not regard any such intimation until I have reason to do so. We shall insist upon a hearing; we shall insist upon our rights. We come here claiming to be the rightful representatives of the State of New-York. We have been chosen, as we believe legitimately, to represent that democracy in this convention, in the ordinary and usual manner. All we ask is, that the question as to our rights should be investigated. If gentlemen will notice the terms of the resolution of the gentleman from Georgia, they will perceive that it simply requires of this committee to examine the credentials, and report the names of delegates. We certainly never can consent to have our claims passed without a full examination of all the facts. The motion ~~was lost.~~

After which the resolutions of Mr. Cone, as amended by Mr. Yancey, were ~~adopted.~~

#### SECOND DAY.

Mr. Cone of Ga., who had been so prominent in the action of the first day, submitted the following resolution. It gave to General Commander the only delegate present from South Carolina, the power to cast the nine electoral votes of that State in all the further action of the Convention! and was adopted.

*Resolved*, That in voting upon any question which may arise in the proceedings of this convention, the vote shall be taken by states, at the request of any one state—each state to be entitled to the number of votes to which such state is entitled in the electoral college, without regard to the number of delegates in attendance; the

manner in which said vote is to be cast, to be decided by the delegation of each state for itself.

At the Evening Session, Mr. Howard of Maryland, presented the report of the Committee on Credentials, consisting of a resolution and certain papers in explanation of the action of the committee.

The resolution and papers were then read by Mr. Howard, as follows:

*Resolved*, That this committee refuse to open the discussion to the two conflicting parties from New-York, now contending for seats in the Democratic National Convention, until each party shall pledge themselves to abide by the decision of said convention, and agree to support by all honorable means the nominees of said convention.

This resolution having been adopted by the committee, (said Mr. H.,) the following response was received from the delegates of the Utica (Barnburners) convention.

*To the Committee on Credentials:*

The delegation of the democracy of the State of New-York to the Baltimore convention, respectfully protest against the decision of this committee, that before entering upon the examination of the evidence of their rights to seats in the convention, and before they have become members of the body, they shall pledge themselves to the decisions of the convention and to support its nominees. They would feel themselves unworthy to represent the democracy of New-York, if they could submit to a decision which would impeach the integrity of the representative, and which would dishonor our State, and subject its delegates to a condition which the convention expressly declined to impose upon the delegates of any other State in the Union prior to their admission. The delegates of the democracy of New-York must be admitted to the Baltimore convention unconditionally, or not at all.

C. C. CAMBRELING, } Delegates.  
J. WILSON, }

Mr. Howard next read a communication from the delegates of the Syracuse [Hunker] convention, pledging themselves to the test imposed, and then read the following resolution as part of his report:

*Resolved*, That the said delegation from the State of New-York designated by the name of Syracuse and Albany [Hunker] delegation, are entitled to seats in this convention.

Mr. Cambreling then said that the New-York Utica delegation had instructed him to state that the reason why their credentials had not been presented to the committee was, that the delegation could not consent to come into the convention on any other terms than those imposed upon the other delegations. He asked leave now to lay their credentials before the house.

The credentials of the Utica Delegates were then handed in, after which Mr. Toucey rose and observed that the two sets of delegates from New-York, came as the representatives of the Democracy of a State always foremost in the Democratic party.

At the last convention, said Mr. Toucey, the democracy of that State, under the application of the two-thirds rule, which you have again adopted to-day, saw their cherished son excluded from the position of a candidate to which he had been called by a majority. But so far from taking umbrage at the adoption of that rule, or rebelling against the action of the convention, she prevailed upon another of her most distinguished sons—a man whose honor, uprightness, intellect, patriotism, have never been surpassed in this happy country of ours, [great applause]—to leave the station of his choice, and to offer himself up as a willing sacrifice to the success of the cause to which he had devoted his life; and I speak only what is known to every man within hearing of my

voice, that by that act he carried upon his own shoulders into power the nominee of this convention. [Long continued applause.]

And now, sir, the question comes up, whether the democracy of that State, capable of such a sacrifice, and wielding an immense power, not only at home, but throughout the whole country, are entitled to—what? To be heard—whether they are entitled to the most common form of justice. Shall this convention say to them, to the democracy of the Empire State, that they cannot be heard? I am free to say, that I stand here as the friend of the three principal candidates who have been named—Woodbury, Cass, Buchanan—nay, I go farther, Dallas; and I could name others. If my life and health be spared, I shall go into that election with all the energy and ability that I can command. [Loud applause.] But I tell you, sir, that if, when I presented myself at the door of this convention, a pledge of that kind had been demanded of me, I should have buttoned my coat, taken my hat, and walked home.

The previous question being demanded, Mr. Yancey rose and said: I deny the right of the committee to apply a test to either of the delegations from New-York. With all due deference to that committee, I must say, that they have transcended their authority. What right have the thirty respectable gentlemen who compose that committee thus to impose a test in the name of the six or seven hundred delegates here assembled? If to abide the decisions of this body be the test of democracy, then there is a species of democracy of which I never heard in my youth. Had the committee asked: Are you in favor of the independent treasury and free trade? Are you opposed to internal improvements by the general government? or applied any other test of principle, it would have been a different case. But I say boldly and fearlessly, that their test is an anti-democratic test. No sir! I can never accede to the imposition of such a test! To no foe of mine would I commend it. If I am to have a fight with any one, let me have it like Rhoderick Dhu—with every weapon cast aside which gives me an undue advantage.

Mr. Bartlett, of Ohio, offered a substitute for the resolution of the Committee, admitting both sets of delegates, and giving each the same number of votes, thereby annulling the vote of the State. This pending, the following resolution of Mr. Hibbard, of New Hampshire, was adopted:—

*Resolved*, That the contesting delegations from the State of New-York be heard before the convention, through two speakers on each side—the speakers not to consume more than one hour each in addressing the convention.

### THIRD DAY.

Senator Dickinson on the part of the Hunkers, and J. C. Smith for the Barnburners, each addressed the convention one hour. They were followed by Henry A. Foster for the former, and Preston King for the latter.

At the Evening Session, the motion to admit the Hunker delegation being renewed, Mr. Strange, of North Carolina, said:—The Barnburners had virtually excluded themselves by adopting the Wilmot Proviso; the South could not vote them admission. He hoped, however, that the question would be decided on credentials, if the delegates knew no other grounds. The members of the Barnburner delegation protested against deciding on their admission or rejection on the grounds of the Wilmot Proviso; they wanted the question decided on the validity of their credentials. Cries of "question," "order," &c., followed. Sundry attempts made to obtain the floor, and in every direction disorder prevailed for some time.

Mr. Turney, of Tennessee, on the part of the minority of the Committee on credentials, protested against the action of the Committee in appointing a test as to the opposing delegations. The same test, applied to Pennsylvania, Michigan and others, would drive the states from the Democratic world; let the test be applied to all or none. The Barnburners would be excluded solely on the ground of the Wilmot proviso,\* and no other.

The right arm of the Democracy would be paralyzed; it wanted no invidious distinctions or test, except for both delegations, or reject both, and leave neither ground for complaint. He closed by renewing the call for the previous question.

This was sustained, but afterwards amended, so as to admit both delegates, each to cast the number of votes to which the State is entitled in the electoral college, by a close vote of 126 to 125.

#### FOURTH DAY.

On motion of Mr. Yancey the resolution of Mr. Bartlett, made on the second day, to admit both delegates, and give 72 votes to the State, was amended, admitting both sets of delegations, with power jointly to cast 36, or the electoral vote. This passed and was final: yeas 130, nays 120.

Mr. Hannegan, of Indiana, said that he felt bound by instructions from the Indiana State Convention, to submit the following resolution:—

*Resolved*, That the New-York delegation, known as the Syracuse or Hunker delegation, are rightfully entitled to cast the vote of the said state in the convention.

The Barnburners' delegation then retired from the convention.

The Convention then proceeded to ballot for President, with the following result:—

	<i>Cass.</i>	<i>All others.</i>
1st Ballot . . .	126	128
2nd „ . . .	133	118
3rd „ . . .	166	98
4th „ . . .	179	75 = 254

Under the two-third rule adopted, and omitting the state of New-York from representation, it required 169 votes to nominate, and Gen. Cass was declared the Nominee of the Convention. The Hunker delegates refused to vote. Had the other delegation been admitted, as it claimed and had the right, Gen. Cass could not have been nominated. Their vote added would have made a total of 290, two-thirds of which, or 194, being 15 more than he received.

With a dignity and manly independence worthy of the State they had represented, the Utica delegation returned to their constituency, and issued the following address—understood to have been drawn by S. J. Tilden, Esq., New-York.

*To the Democratic Republican Electors of the State of New-York.*

FELLOW CITIZENS:—Delegated by you, in conformity to the usages which you deliberately established and have invariably adhered to, for the purpose of conferring with the representatives of the Democracy of your sister states in regard to the nomination of candidates for President and Vice President, we repaired to Baltimore to execute the trust with which we had been clothed. It was known to you that a systematic effort was making to get up a spurious Delegation from this State; that a combination of the friends of the aspirant for whose benefit it was designed was relied on to secure its sole or joint admission; and thus either to misrepresent your will, or to neutralize your voice in the selection of candidates; and by the agency of men within the State, false alike to its honor and their duty, to surrender its political action to men without, who had been hostile to its convictions and the cherished representatives of those convictions, and with whom they had for similar purposes, plotted and accomplished the disastrous overthrow of the Democracy of this State in 1846.

\* Mr. Bailey, of Virginia, declared that "no man was a democrat who held this principle."

Of the manner in which that delegation was got up; the pretended passage of a resolution recommending a change of the established usage of the party, by the Syracuse Convention, fraudulently constituted, and after a majority had ceased to participate in its proceedings; the total want of authority of that body to act upon the subject, which was not within its delegated powers as defined in the call under which it assembled; the almost unanimous refusal of the people, through their undisputed local organizations, to adopt what was at most only claimed to be a mere recommendation; the repudiation of it by the Caucuses of the Democratic members of the Legislature for 1847 and 1848, in some of which the Conservatives participated, and which for twenty-five years have exercised exclusive authority in calling State Conventions; the subsequent assembling of the Albany Convention under a call, emanating from a pretended State Committee which never had a valid appointment or could have been vested with such power consistently with the well known practice of the party, and dispensing with the action of all the local Committees of the State in convoking the primary meetings to appoint Delegates; the constitution of that body by volunteers from less than three-quarters of the Districts, sent in many instances without meetings being held at all, in others, from meetings attended by less than a half dozen persons in districts where the Democratic electors are counted by thousands, and in almost every case from meetings held without the authority of the local committees, or any regular call; the superseding by a convention thus formed of the functions of the local committees in 34 Congressional Districts, 59 counties, 128 Assembly Districts, and 700 towns and wards, appointed, as of right they could only be, by the people of these localities, and the vesting of their functions in 34 committees, appointed by this voluntary and irregular convention; the formation in this manner of a new and complete organization within the bosom of the democratic party, without authority, and in derogation of its settled usages, and of the rights of the people to choose their own local committees; the call by the new local committees appointed by this irregular and volunteer convention, of the Congressional District Conventions, at which the spurious delegates were chosen—of these things it is not necessary for us to speak to you. You are better informed of them than any body else can be, and have already made known your unalterable determination to resist an usurpation so fraudulent and so stupendous; an usurpation which has had no parallel, except in a similar attempt in 1844, at the instigation of the Tyler administration, which its authors had not the audacity to carry out, and which found its disgraceful termination in the separate National Convention held at the same time and place with that it was originally intended to disorganize.

Instructed by you not to submit to or compromise with such an outrage upon your rights and honor, as the admission of a delegation thus originating would be, and desiring to enter upon a conference with the Delegates of our sister states, in which we might hope to secure the nomination of candidates from whom you might expect an amnesty from such hostile intrigues, a faithful representation of the recognised principles of the Democratic party, and an exemption from the application to you of tests on questions forming no part of its recognised creed, and in respect to which its members hopelessly differ, we proceeded to the duty assigned to us.

Before the Convention assembled, it was freely avowed in conversation by influential members, that the question of our admission would be decided by considerations wholly irrespective of our title to seats. It was declared that, delegated as we were by a Convention which, while it imposed no test on others, declared its opinion against the extension of slavery by the Federal Government in territories now free, no southern man could venture to vote for our admission, however conclusively we might show the validity of our title. And it was understood that the mode by which our exclusion would be first attempted, would be by imposing on us, as a condition to our admission, a test which would operate upon us peculiarly, and which would bind us, whether admitted or rejected, whether having any voice in the nomination or not, to support candidates pledged against the opinions solemnly, repeatedly, and with unexampled unanimity, declared by the people of this state on the question of free soil for free labor in the newly acquired territories; while the members who imposed this test on us, would take their chance of securing a nomination favorable to their opinions, and if they failed would not hold themselves bound to support nominees of different opinions, or even those who had made no expression. Nevertheless, we felt it to be our duty to apply for admission, and to use all honorable means to avert the disastrous consequences which would inevitably result from our exclusion, on grounds and in a mode so unjust, and so insulting to the democracy of this state.



Soon after the temporary organization of the Convention, a resolution was offered by Senator Hannegan, exacting a pledge to support the nominees, not only from all members who were admitted, but from all claiming seats; but on motion of Mr. Yancey, of Alabama, who, with delegations from other states, was instructed not to support, if nominated, any candidate who did not expressly disavow the opinions declared by a vast majority of the democracy of New-York, or even those other opinions on which the conservatives attempt to show that legislation in favor of free territory is unnecessary; the Convention refused to adopt the proposition.

A committee was then appointed "to examine credentials, report the number of delegates to which each state is entitled, and the names of the delegates."

The committee having organized and reported on the credentials of the delegates from the other states, appointed 8 o'clock, P. M., for the hearing of the New-York case. Your delegates attended at that time, prepared to show their right to represent you in the convention. A resolution was adopted allowing three hours for the discussion before the committee, and a second resolution was proposed refusing to open the discussion to the contesting delegates until they should first pledge themselves to abide the decision, the premeditated wrong of which had already become so probable, and, whether admitted or rejected, to support the nominations of the convention. On this latter resolution a discussion ensued, which consumed the whole period allotted to the examination of our case. The resolution was opposed with great ability by members of the committee. It was urged that the committee had no power to impose such a test; that the only function assigned to them by the convention was to examine and report upon our credentials, and that, if the resolution was adopted, they would refuse to do the duty imposed upon them, and assume to do what was utterly beyond their authority.

It was further urged that the application to the delegates from New-York, of a test which the convention had already refused to apply to the delegates from any other State, and the exaction from us, who might not be members, of a pledge which the convention had refused to exact of themselves who were members, would be so degrading to us, and so insulting to our constituents, that we could not submit to it, consistently with our self respect, or with fidelity to the honor of the State which we represented. The humiliation inflicted on New-York by such a test, if she had been degraded enough to submit to it, was enhanced by the consideration that she to whom it was applied had never made any declaration inconsistent with her support of the nominees, while Virginia, Alabama, Georgia, and Florida, to whom it was not applied, had solemnly declared that they would not support the nominee, unless they should expressly and publicly disavow opinions which New-York was known to entertain on the questions of difference between themselves and her. The vote on the resolution imposing the test, was then taken, and the result was a tie; when the member from Delaware came in and decided the question in favor of adopting the resolution.

Among those who voted for the resolution, was General Commander, of South Carolina, who was appointed at a meeting of a few persons in a single parish, and was allowed to cast nine votes in the convention, while the three millions of people of New-York were wholly excluded from a voice in its proceedings. Another was Mr. Acklin, of Alabama, who was under instructions from his own State so peculiar as to demand a brief notice. The Convention of Alabama passed resolutions declaring that Congress has no power to restrict the introduction of slavery into any territory which might be acquired; that the people of the territory have no such power; that an individual has a right to carry slavery into any such territory, without reference to the existing local law. They also pledged themselves that they would, "under no political necessity whatever," support any candidate for President or Vice President, who was not openly and avowedly opposed to the exclusion of slavery from any territories, either by act of Congress, or by act of the people of the territory; and declared that these resolutions should be considered as instructions to their delegates.

It is not necessary to say that there is scarcely a man in New-York, or any other free State, who is not brought within this comprehensive proscription. And it was the vote of a delegate who was under instructions and pledges which would render it impossible for him to support, even if nominated, any candidate who shares the convictions of the people of New-York, dissenting from the sectional test sought to be incorporated into the democratic creed, or any candidate whom she could desire to present, or to whom she could hope to give her electoral vote, that carried the resolution refusing to examine our credentials, except on condition that we would pledge ourselves to support

candidates of different principles from our own, even if denied all voice in their selection.

Mr. Baily, of Virginia, and Mr. McAllister, of Georgia, whose constituents had made similar declarations, also advocated and voted for this proposition. The extraordinary spectacle was thus presented of a refusal to examine our credentials, unless, even if excluded from a voice in the selection of candidates, we would take a pledge, which those who imposed it upon us, and who would have a voice in the selection of candidates, were themselves instructed not only not to take, but to disobey.

Under these circumstances we had no hesitation as to our duty. What respectable men on the committee avowedly regarded as degrading to ourselves and unfaithful to you, we could not have consented to do if we had entertained or thought it possible for honorable men to entertain doubts on the subject.

We had not been commissioned by you to make experiments on the as yet unsullied character of our State, or to try how far we could go in degrading submissions, without forfeiting the respect of impartial and just men. And when those who were to be made the unwilling instruments of attempting to dishonor you through your representatives, recoiled from the unworthy office, and spontaneously expressed their indignation at the test sought to be imposed, and their scorn of those who would submit to it, we could not have stood there, as men falsely claiming to be your representatives did, to argue down the honest repugnance of fair men to do what they thought would degrade us and betray you, who had clothed us with our high trust.

But we did not need the suggestion of others, however respectable, to inform us what was due to the honor of the democracy of New-York. Deputed by you to confer with our political brethren of other States, in respect to the great concerns of our common country, we knew that you would never suspect us of entering upon that conference except on terms of equality and reciprocity. Great as New-York is in population, in material wealth and power, and in all the elements of civilization, and the moral influences which attend upon it, she will never claim more, nor will she submit to less than equality with her sister States. The conditions on which she enters into political associations with them must apply to the other parties as well as herself; the obligations which bind her must bind them also.

Governed by these views of your honor and our duty, we returned to the committee the following reply:

"TO THE COMMITTEE ON CREDENTIALS.—The delegation of the democracy of the State of New-York to the Baltimore Convention, respectfully protest against the decision of this committee, that before entering upon the examination of the evidence of their right to seats in the convention, and before they have become members of that body, they shall pledge themselves to the decisions of the convention, and to support its nominees. They would feel themselves unworthy to represent the democracy of New-York, if they could submit to a decision which would impeach the integrity of their representatives, and which would dishonor our State, by subjecting its delegates to a condition which the convention expressly declined to impose upon the delegates of any other State in the Union prior to their admission. The delegates of the democracy of New-York must be admitted to the Baltimore Convention unconditionally, or not at all.

"C. C. CAMBRELING, } In behalf of the Delegates."  
"J. A. WILSON, }

The committee debated a motion for reconsideration through the following morning, and adopted a resolution declaring the spurious delegates entitled to the seats, on the express ground of their consenting and our refusing to take the test.

In the afternoon the committee reported the resolution, and a debate upon it ensued. The convention determined to hear a discussion of the question of admission or rejection, and allotted to it four hours.

On the next morning, the hearing of our cause was commenced by a speech of Senator Dickinson, on behalf of the irregular delegates. The great characteristic of his speech was, an appeal to the convention to reject us, because of the position assumed by the resolution of the Utica Convention, in regard to the extension of slavery to territory now free, and he read for that purpose a part of the resolutions adopted by that body. The subject was in this manner first introduced by him, and afterwards by Mr. Foster, who repeated the appeal with strong expressions in favor of enabling the sturdy freemen of the South to go "with their associations" into the newly acquired territory, or in other words, to plant slavery in territories now free, and thus virtually to exclude

the free white laborers of the north from those territories, except on the hard condition of their submitting to be degraded to an association with slaves. This appeal was replied to by the speakers in behalf of the regular delegates, the position of the New-York democracy on the question stated, and to make it more accurate, the resolutions adopted by the Utica Convention were read as an authentic exposition of the sentiments of the body by which we had been delegated.

In the subsequent discussion by members of the Convention who opposed us, our title to the seats was not even alluded to, except by one of the speakers, who had in Committee voted for and advocated the resolution refusing to go into the investigation, and rejecting us because we would not take the test—and who now devoted his speech to the justification of that pre-judgment of our case. All the other speakers who advocated our rejection, placed it on the express ground, either that we would not take the test, or that the opinions of our constituents are opposed to the extension of slavery to free territory as declared by the Utica Convention; and the speakers who advocated our reception, distinctly recognized the fact, that our rejection was to be placed upon these same grounds and protested against such injustice and oppression.

The report of the committee was amended so as to nominally admit us, but to neutralize our voice in the convention by the admission of an equal number of other persons, not delegated by the democracy of New-York; and was then adopted, the vote on the question being almost purely sectional. The decision of the convention having been thus made, the regular delegates retired and prepared the following Protest, which on their return was presented to the Convention:

The undersigned, delegates from New-York, respectfully state, that we have deliberately considered the resolution adopted this morning, admitting thirty-six individuals who avow themselves hostile to the regular democratic organization in New-York, to take seats in the convention with the regular delegates, and thereby neutralize the vote of the State.

The State Convention held at Utica, which, in accordance with the invariable usage and expressed wishes of the democracy of the state, appointed the undersigned to represent them in this convention, adopted an address, in which the following sentiments were expressed.

"A reference to the proceedings of the Democratic electors by whom we were chosen, will show that a vast majority of the Convention which delegated us to carry out their wishes, have expressed their preferences, if not instructed their delegates, in favor of the state system; and believing, as we do, that representative fidelity is the life of our political system, and the highest obligations of duty and honor require the delegate to obey the expressed wishes of his constituents, we have had no hesitation to proceeding to the choice of thirty-six delegates to represent you in the National Convention, at Baltimore. The individuals selected are believed to be, one and all, eminently trustworthy; we have not felt at liberty to hamper them with intructions, but entertain the hope that they will carefully ascertain and faithfully carry out your wishes in their conduct. In so doing, they will consult the honor of the state, and the true and permanent interests of the republican party of the State and of the Union, and thus best promote the prosperity and happiness of the American people."

A Caucus of the democratic members of the Legislature, convened at the capitol, on the 12th April last, at the close of their session, to put forth an address and resolutions to their constituents, responded in the following language to the action of the Utica Convention in reference to the appointment of delegates to the National Convention:

"If we have been in any degree successful, we may claim to have shown that the views entertained by the democrats of New-York, so far from presenting any excuse for their proscriptions by their political associates, are those which the highest obligations of constitutional liberty require them to maintain. They have sent, in conformity with established usage, thirty-six estimable and influential citizens to communicate their wishes in regard to the approaching Presidential election, to the representatives of the democracy of other states, who are soon to assemble at Baltimore. Their desire is kindly and dispassionately to confer with their brethren of the Union, in the hope of securing the safety and success of that great and patriotic party at whose hands the cause of true freedom has uniformly received a strong, steady and generally successful support.

"They regret to be apprised that a design should exist in any quarter to exclude

their delegates from such conference, or to neutralize their voice by associating with them persons not delegated by the party, and not speaking its sentiments. We are conscientiously satisfied that there is no room for an honest difference of opinion in regard to the right of the delegates selected by the Utica Convention, to sit in the National Convention which is to assemble at Baltimore for the nomination of democratic candidates for President and Vice-President. If a question is made as to their right, it must be decided, not compromised. Those delegates should not be insulted by the request that they should yield one particle of the weight to which, as the representatives of the Democracy of this State, they are justly entitled. Expedients resorted to where no difference of opinion existed on either national questions or national candidates, and by which a decision of the controversy, purely local, was postponed until such difference should arise, can have no application to such case.

"Neither of the distinguished republicans selected by the Utica Convention, to represent the democracy of this State, required the instructions of that body to know that perpetual disgrace would await him if he surrendered any portion of the high trust confided to him, and no instruction was therefore given. The simple question, if any, which the Baltimore Convention will be called upon to decide, will be the exclusion or admission of those delegates; and it may be proper for us to add, that such decision appears to us of so momentous importance, from our conviction, that whilst past experience has shown that the republicans of this state will submit to great injustice for the vindication and establishment of their principles, the exclusion, actual or virtual, of their representatives, for the purpose of overthrowing their principles, is an imposition which would be fatal to those who should practice it."

The undersigned regard these sentiments as indications of the wishes of their constituents, which they cannot overlook.

But other considerations also have influenced them in forming their decision.

Without stating them in detail, it is sufficient to say that the undersigned are entitled to seats exclusively, or not at all. If the thirty-six individuals, before referred to, are the representatives of the Democracy of New-York, we ought not to be admitted to destroy their efficiency. They and our constituents differ essentially in political principles and action.

If this Convention recognize as the representatives of the Democracy of New-York, men among whom may be found those who opposed the Independent Treasury; who were hostile to the debt-paying policy of our State, in 1842; who lobbied against the Tariff of 1846, who fought with desperation against calling a Convention to revise our State Constitution; who denounced the result of the labors of that Convention, who treacherously defeated Silas Wright, the regular candidate for Governor, in 1846; who attempted, at the Syracuse Convention, in September last, to subvert the organization, and annul the old usages of the party, who, living in a state which owes its greatness to the dignity and influence with which its liberal institutions have clothed the arm of free labor, unblushingly advocate the extension of slavery into territory now free, and upon that ground claim to be entitled to seats in this Convention, as the Representatives of the New-York Democracy, we have no hesitation in saying that if we should consent to divide with them our seats and our votes, we should betray the principles, and forfeit the confidence of the pure and fearless party whose commission we bear.

We, therefore, respectfully decline to take seats upon the terms proposed by the convention.

The Delegates from the other States had meanwhile proceeded to nominate General Lewis Cass, for President, and subsequently nominated General William O. Butler, for Vice President. These delegates, a single individual of whom cast the whole vote of his State, by a decision which neutralized the votes and influence of your representatives, which is denounced by both the contending parties as unjust, and which to all reflecting minds must appear absurd, virtually excluded New-York from any share in their deliberations. The nominations which have been made by them, are not, therefore, nominations for New-York; they have been made by a body in which she was not represented, without allowing her any voice in the deliberations from which they have resulted, and without her agency, assent, or concurrence. The democracy of this State are therefore thrown back upon the alternative of either having no regular candidates for these important public trusts, or of nominating for themselves through their own legitimate State organization.

Coming ourselves instinctively to this conclusion, we were led to consider the ques-

tion whether, in the contingency which had occurred, we had the power, and were called to the duty of submitting for your consideration nominations for the high offices in question. Our reflections satisfied us that it was fittest in itself, and most accordant with the right construction of our delegated powers, to refer this important matter to the source of our authority. We were appointed to meet the delegates of other States in a national convention, and with the aid of such other delegates, after interchange of views, to make, in conjunction with them, a national nomination. Failing, by the action of the delegates from the other States, to do this, we resolved that we would refer the subject to our constituents, with a report of the efforts we have made to execute the trust with which we were charged, and the means by which its complete performance has been defeated. When and to what body representing those constituents these matters should be submitted, is a question of much interest.

The State Convention, by which we were appointed, after accomplishing the purpose for which it was assembled, adjourned without delay. The legislature is not in session, and will not again convene during the year, so that the democratic members of that body cannot meet together in caucus to receive our report, (even if it were proper to make it to them,) or to recommend the election of a State Convention for the purpose.

The State Convention which has been already called, in conformity to the time-honored usage of the democracy of this State, to be held on the 13th of September next, for the purpose of nominating Presidential electors, as well as candidates for Governor and Lieutenant Governor, and which is, beyond all doubt, the only authority competent to make such nominations in a valid form, will assemble with regular and full powers.

In the mean time it is deemed highly expedient to collect and express the sentiments of the democracy in regard to the course which ought to be pursued in the present emergency. With that view the following resolution was adopted:

*Resolved*, That a convention, composed of one delegate from each Assembly district, be, and is hereby recommended to be held at the city of Utica, on Thursday, the 22d of June, at 12 M., for the purpose of receiving the report of the regular democratic delegates to the national convention, and expressing their sentiments in regard to the action of that body excluding New-York from a participation in its proceedings, and for recommending candidates for the offices of President and Vice President, subject to the decision of the State Convention regularly called for the 13th of September, or to take such other action relating thereto as may seem advisable.

And for the purpose of choosing delegates to the said convention, it is further recommended that the meetings be held in the several Assembly districts, at the time and place at which they were respectively held, for the purpose of choosing delegates to the recent Utica Convention, on the 14th of June next, unless the local committees shall designate a different time and place.

We have thus laid before you, fellow democrats of New-York, a plain and unvarnished account of the treatment you have received in the persons of your representatives from delegates from the other States, with whom we were deputed to form a national convention, and of the steps taken by us to protect your rights and our own, in the several conjunctures in which we have been placed. To your calm and dispassionate judgment, to your justice, fidelity, and honor, we now refer this whole matter, and with the momentous interests, State and National, present and prospective, to which it is allied.

C. C. CAMBRELING, } Delegates from the State at large.  
JARED WILSON, }

And thirty-four other Delegates from the Congressional Districts.

## UTICA CONVENTION TO NOMINATE A PRESIDENT.

In answer to the call in the foregoing report, the people came together in thousands on the 22d of June. The enthusiasm of this gathering exceeded that of almost any, if not every political movement, since the formation of this government.

The following officers were appointed:—

*President*—Samuel Young.

*Vice Presidents*—Samuel Waterbury, New-York; Alexander Watson, Westchester; John I. Kettle, Rensselaer; John McLean, Washington; Abijah Beckwith, Herkimer; S. Doubleday, Otsego; Asa Nolan, Livingston; Samuel Skinner.

*Secretaries*—Gilbert Dean, Dutchess; W. W. Scrugham, Westchester; Stephen Dresser, Oneida; P. M. Vosburgh, Erie.

These nominations were hailed with tumultuous cheers, and as the venerable and patriotic chairman ascended the platform, and took his seat in the pulpit, cheers upon cheers rose from the crowd, and shook the church.

A committee of eight—Hon. Benjamin F. Butler, of New-York, chairman—were appointed to prepare an address and resolutions.

The credentials of the delegation to Baltimore were returned to the convention, after which eloquent speeches were made by Preston King, Martin Grover, B. F. Butler, and John Van Buren.

It is not important to give these at length. They are in substance covered by other matter.

Mr. Grover said—The occasion, in his judgment, had not been exceeded in magnitude since the revolution. The question is not, whether black men are to be made free, but whether we white men are to remain free. (Cheers.) It was but of late years that this question had been forced on his attention. In 1844, he saw the power of the south demonstrated.—He had hesitated as to his duty, but he reflected that if New-York failed, or fell back, we would lose the fruit of a series of most important conquests. He had buckled on the southern knapsack, and entered body and soul into a contest which had closed only with the opening of the ballot boxes. He had gone into Congress expecting to receive the gratitude of the south; but, judge of my surprise, when I found that we had paid but a single and small installment of what the south had determined to exact. First, the Oregon question came up. We had defined our title to Oregon in our treaty with Great Britain. We had exclusive jurisdiction, within well-known limits. Slavery had crept, clandestinely, into that territory. It had got above 36 deg. 30, was up to 44. We had to provide for the government of the territory.

The House passed, in the law for organizing the territory, the prohibitory clause of 1787, and sent the bill to the Senate. Did they deny the power of Congress over the matter? No! A southern committee reported a bill striking out the prohibition and affirmatively establishing slavery. Northern men might have brought this question to a test, but they did not. They were silent. They were led away by the flavor of the flesh pots of Egypt, and Oregon was left without a government.

The south acted in combination. There had been for years an Inquisition sitting at the south, even on the secret thoughts of men. We had had an instance not long ago. Chancellor Walworth had been nominated for U. S. Judge. Some conservative from Oneida had come along and hunted up in Wendell's Reports a case in which the Chancellor had said that liberty was the law of the land, and that settled him. His name was withdrawn.

When a great leader of the Conservatives had told him this was the wrong time to meddle with this question, he had replied—he thought so too, it should have been done ten years ago. If the schemes of the South succeed, farewell to liberty. He would as soon live under a monarchy as under the rule of 300,000 slave-holders. This question affects the future fate of a territory equal to fourteen states like New-York. It was a question which involved the fate of liberty on the whole continent. No matter what others might do; for himself, sink or swim, live or die, survive or perish, he went for the Flag of Freedom. Mr Grover concluded amidst tumultuous cheers.

John Van Buren was then called for, and as he rose and became visible, they stood up, and, with waving of hats and handkerchiefs, gave him three times three cheers. We cannot give Mr. Van Buren's speech, or any part of it. It was high-toned, and received with loudest applause. He spoke of the debt question—harbor improvement question. He pointed to Virginia now—the degenerate mother of illustrious children—and the Virginia of the Revolution; a contrast as great as between Thomas Ritchie and Thomas Jefferson.

Mr. Butler followed in a noble speech.

Mr. Field, before discussion should proceed further, asked leave to remark that the New-York delegates had in their possession a correspondence between the delegates to this convention and a distinguished son of New-York—MARTIN VAN BUREN.

The reading was tumultuously demanded, and was received with continuous cheers. The enthusiasm of the audience rose to its highest pitch at passages in which the Ex-President took sides with New-York, particularly when he declared he should not vote the ticket nominated at Baltimore.

*Correspondence of the Delegates of New-York and Martin Van Buren.*

LETTER OF THE NEW-YORK DELEGATES.

New-York, June 16, 1849.

Hon. Martin Van Buren, Ex-President of the United States:

Sir:—The undersigned, delegates appointed by several of the Assembly Districts of the city and county of New-York, to represent said districts in the Democratic State Convention, to be held at Utica on the 22d inst., complying with their own feelings and with those of their constituents, find it necessary to address you on a question of great moment, which may be expected to come before the proposed convention.

This assembly, as you are aware, has been convoked in consequence of the arbitrary and insulting exclusion, by the National Convention lately held at Baltimore, of the delegates regularly appointed to represent the democracy of this state, in that convention, from any effectual vote or voice in its deliberation, for the purpose of expressing the sentiments of their constituents in regard to that measure, and of recommending, should they think fit so to do, candidates for the offices of President and Vice President.

If the Convention shall decide to make such nominations, our own eyes, and, as we believe, those of the whole body, will instinctively be turned to you, as the democratic statesman best qualified by talent and experience, as well as by the purity and soundness of your political principles, to receive the first of these nominations. The great Jeffersonian doctrine, now boldly repudiated at the south, and by too many tamely surrendered at the north, that slavery or involuntary servitude should not, by any action of the Federal government, be extended to the free territories of this Union, deserves, in connection with other and time-honored doctrines of the democratic party, to be represented by a standard bearer of the highest encomium for ability and worth, and such a one, you will permit us to say, we shall present in you, should we be authorized to name you as a candidate, for the consideration of the convention.

We are not insensible to the many reasons which may properly induce you to forbid any such use of your name. Having filled, with the highest honor, the first station of the Republic, and being now retired from the political arena, you may be unwilling to be drawn from the great and useful pursuits which occupy your attention, for the purpose of being again involved in the strifes of party. We remember that in your noble letter to the democracy of this city, in June, 1844, in which you gave to Messrs. Polk and Dallas so cordial and so generous a support—a support which so greatly contributed to their election—you declared in reference to this nomination, and to the position in which it had placed you, that your political career had for ever closed.

We know, too, that you have neither done any thing yourself, nor countenanced any thing in others, to vary this position, and that you lately refused the delegation of this State, in the event of their reception by the Baltimore convention, permission to use your name, as a candidate before that body.

Under these circumstances, and unwilling to embarrass one who has always, whilst in the political field, stood ready to place himself at the disposal of his friends, we do not feel ourselves at liberty to insist upon a compliance with our wishes to the extent that we might, under other circumstances, have been induced to do.

We are, moreover, sure that you will naturally weigh the many and grave considerations which belong to the subject and decide it in a spirit of liberality to your friends and justice to yourself. Should you feel yourself required to adhere to your previously expressed determination not again to be made a candidate, we earnestly hope you will not withhold from us your opinions and views, as well in regard to the action of the Baltimore convention, and the obligations whether of duty or expediency, resting on the democracy of New-York towards the nominations made by that body, and the course proper, in the present crisis, to be pursued by the democracy of New-York as to the great issue before the country—the extension of slavery to the territories now free.

We are, very respectfully  
and sincerely, your friends.

REPLY OF MR. VAN BUREN.

Lindenwald, June 20, 1848.

Gentlemen—I have received your kind letter with feelings of no ordinary character. It comes from the representatives of a body of men who possess unsurpassed claims upon my respect and gratitude. My reception by the lion-hearted democracy of your great city, after my defeat in 1840, was marked by circumstances, and displayed a depth of friendship, which I can never forget. It made impressions upon my heart which are as vivid now as they were then, and which will never loose their hold upon my affections until that heart ceases to beat. It is not in my nature to decline a compliance with any request which such men are capable of making, except for reasons of the strongest character, and which they themselves will, on further consideration, approve. The determination announced in 1844, in my letter to the New-York Committee, advising my friends to unite in the support of Mr. Polk, to regard my public life as for ever closed, was made upon the most mature reflection, and with an inflexible determination to adhere to it to the end.

I beg of you to do me the justice to believe, that it was in no degree influenced by that spirit of resentment which political disappointments are so apt to engender in the best regulated minds. Having been defeated during a highly excited, and as the result has shown an unsound state of the public mind, for adhering to a financial policy which I believed to be right, the democratic masses, every where, as soon as it became evident that the country had recovered from the delusions of the day, resolved, with extraordinary unanimity, that the policy which had been so successfully decried should be vindicated, and the justice of the people illustrated by my re-election.

This decision of the masses was reversed by their representatives in the convention. More than compensated for any mortification which my discomfiture in 1840 had occasioned, by these expressions of confidence and regard, proceeding directly from the people themselves, and anxious above all things for the success of the measures for which I had been so unsparingly arraigned, I forbore to scan either the motives by which my opponents in the convention of '44 were actuated, or the means they resorted to for the accomplishment of their object, and united with zeal and alacrity in support of the democratic candidate.

But while thus in good faith discharging what I regarded to be my duty, it did not fail to occur to me that the circumstances by which I was surrounded, presented the occasion I had long desired, when I could retire from public life, consistently with what was due to the country, to my friends, and to my own self-respect. I embraced it with my whole heart.—From that day to the present, my mind has not for a moment wavered in regard to the determination then announced. At an early period in the present canvass, and before the democratic mind could be regarded as having taken any thing like a distinct direction in reference to its candidate, I affirmed my resolution in this regard in a letter to a worthy citizen of Pennsylvania, which has been extensively published, and in many others with which it was not deemed necessary to trouble the public.

A friendly application from our delegates to the last national convention, for authority to use my name as a candidate, if they could do so under proper circumstances, made it, as you appear to be informed, my unpleasant duty to refuse my consent to their doing so under any circumstances whatever. Having thus assumed and so long occupied this position, I trust to your friendship and past indulgence to be excused for repeating my unchangeable determination never again to be a candidate for public office. The fact of my having long since retired from public life, with the tacit approbation of my friends, gives me a right to say so. If, whilst in the political field, willing to receive honor and advancement at the hands of my political friends, I did not show myself at all times ready to obey, without regard to personal consequences, their calls to posts of difficulty, I failed to make myself understood by those whom I was most anxious to serve.

The considerations to which I have adverted, are not entitled to the same controlling influence in regard to the remaining subject of your letter. Whatever would be my preferences in such matters on ordinary occasions, I feel that I could not, under existing circumstances, refuse to comply with your request, without doing injustice to my democratic friends in this State. I shall therefore give you my unreserved opinions upon the questions to which you have called my attention, and in doing so I shall endeavor to observe that respect and courtesy towards the conflicting views of others which it has always been my desire to practice, and which is now more than ever appropriate to my position.



To give the doings of a democratic national convention a claim upon the support of the democracy of any State, it is indispensably necessary that the democracy of that State should be fairly represented in such convention, and allowed equal rights and privileges with their political brethren from other States in regulating its proceedings. Neither of these, although perseveringly demanded, was conceded by the recent convention to the democracy of New-York, and they are of course in no degree controlled by its decisions. But although their rights and their duties are thus clear, it is notwithstanding material to the fraternal relations which have heretofore existed between them and those who composed the convention, that it should be distinctly shown at whose door lies the wrong of their exclusion; whether at that of our own delegation, or of the convention.

Upon this point both sets of delegates claiming to represent New-York, although differing in almost every thing else, appear to have concurred in the opinion, that the action of the Convention had been such as to put it out of their power to participate in its proceedings, without a total disregard of what was due as well to their own honor, as to the honor and just rights of their state. It was therefore but reasonable to expect that here, at least, the opinion against the slightest obligation on the part of the democracy of New-York to sustain the doings of the Convention, would be universal. To find either set of the delegates who claimed to represent New-York in that convention, or their friends who approve of their conduct, casting reproach upon their opponents for not sustaining the decision of a body, of whose action in regard to their own state, they had respectively formed and expressed the opinion to which I have adverted, must, it seems to me, be regarded as a very extraordinary occurrence in politics.

It was plainly the duty of the committee on credentials, to examine into the facts and report their opinion upon the conflicting claims referred to them. It is an indisputable fact, that instead of doing so, they required an unqualified pledge from both sets of the delegates from New-York, that they would support the nominee of the convention, whoever he might be, and resolved that without a compliance with this arbitrary exaction, they would not even look into the merits of their respective claims.

Now, when it is considered that no such pledge was required at any previous National Democratic Convention from any person—that at one of them the delegates from an entire state (Virginia) were permitted to announce their determination in advance not to support a certain nomination, if it should be made, without causing a question to be raised in regard to their seats in the convention, and that they carried such refusal into full effect, without subjecting themselves or their state to the reproaches of their associates in other states—that this very convention contained, without dispute as to their eligibility, delegates from several states who could not enter into such pledge, without violating the instructions of their constituents, and whose intentions not to enter into it, were not concealed—that the convention itself had previously and expressly refused to impose such a pledge upon its members, and that on the very committee which so imperiously demanded it from the New York delegates, there were members who openly denounced its exaction as an outrage—declared their utter unwillingness to take it themselves, and who, also, were nevertheless recognized as eligible and fit members of the convention—when these things are considered, is it possible that any right minded citizen among us can fail to regard this treatment of the New-York delegates as an indignity to them, and to their state, of the rankest character?

If it is our misfortune to live in a community with whom it is necessary to resort to argument to prove this, whose minds do not rush to that conclusion at the mere presentation of the subject, it is of very little importance to us what is said or done in a democratic Convention. Others may think differently, and I have neither the right nor the disposition, to become their accuser. But speaking for myself, and for myself only, I do not hesitate to say, that the representatives of the radical democracy of this state were entirely right in their appreciation of the treatment they received, and in the course they adopted. Were I to advise them or those whom they represented to any steps which would indicate the slightest insensibility on their part to the degrading distinction that was applied to them, I should, in my best judgment, be counselling them to an act of political dishonor, by which they would justly forfeit the respect of all upright minds. God forbid that I should be induced, by any considerations, to leave my memory exposed to the imputation of having made so poor a return for a whole life of public favors received at their hands.

The committee carried out their designs to the extent of their power, and the question occurs, did the Convention itself relieve your delegates or yourselves from the injustice of their committee? Most sincerely do I wish that I could think so. But is that possible? That the differences between the two delegations were irreconcilable, was apparent to that body, nor was there room for a moment's doubt that at least one of the delegations would not attempt to represent the state, unless their right to do so exclusively was examined and decided by the Convention, and it had not yet become too late for the Convention to do its duty in the matter, when it appeared that the resolution not to take their seats was common to both delegations. There was then no other way in which the difficulty could be properly disposed of, than by examining into and deciding upon the conflicting claims before them. The unavoidable result of failing to do so, was to cause the proceedings of the Convention to be regarded as without authority in New York. The expedient of admitting both delegations might do well enough in a case where the difference between them was not one of principle, and where both parties finally assented to the arrangement, but was wholly inapplicable to the one under consideration.

The matter was nevertheless so disposed of. New York was allowed a double representation, with the inevitable and well understood consequence, that she should not have a single effective vote upon the proceedings of a convention whose decisions she is now called upon to sustain. Your delegates claimed the exclusive right to represent the democracy of this state in the convention, and offered to maintain their title thereto before that body by documentary proof. Their claim was rejected, and on what ground? Not certainly on the ground that they were unable to sustain it, for their credentials and proofs were returned to them unopened, and the convention itself did not profess to put the rejection of their demand on any such ground; and yet that was the only ground on which, if well founded, their claim could be properly overruled.

It is not to be disguised, that the belief that your delegates were refused admission on the ground of the opinions entertained by their constituents upon the question of the prohibition of slavery in the territories, is very general in this State. The course of proceeding adopted by the convention, renders it not a little difficult to define with precision for what particular reason the rejection of both sets of delegates by the nominal admission of both, was ordered. That many members were not influenced by the consideration referred to, I am well satisfied, while it is equally clear, that the number of those who were, was neither small nor unimportant in character. Those who feel themselves constrained to believe that their delegates were rejected for that cause, cannot indeed but regard it as an extraordinary spectacle in the political field; to find their votes demanded for the nominee of a convention, in the deliberations and discussions of which they were not deemed worthy of participation.

I cannot, under such circumstances, refrain from concurring with you in the opinion, that the decisions of that Convention are in no degree binding upon the Democracy of this State, or entitled to any other weight in their estimation, than as an expression of the wishes and opinions of respectable portions of their political associates and friends in other states, qualified as their expression is, by the acts by which it has been accompanied.

You desire also my views in regard to the prohibition by Congress, of slavery in territories where it does not now exist, and they shall be given in a few words, and in a manner which will not, I hope, increase, if it does not diminish the existing excitement in the public mind.

The illustrious founders of our government were not insensible to the apparent inconsistency between the perpetuation of slavery in the United States, and the principles of the Revolution, as delineated in the Declaration of Independence; and they were too ingenuous in their dispositions to attempt to conceal the impressions by which they were embarrassed. But they knew, also, that its speedy abolition in several of the States, was impossible, and its existence in all, without fault on the part of the present generation. They were too upright, and the fraternal feelings which had carried them through the struggle for independence were also too strong to permit them to deal with such a matter upon any other principles than those of liberality and justice. The policy they adopted, was to guarantee to the states in which slavery existed, an exclusive control over the subject within their respective jurisdictions, but to prevent, by united efforts, its extension to territories of the United States in which it did not in fact exist.

On all sides the most expedient means to carry out this policy were adopted with alacrity and good feeling. Their first step was to interdict the introduction of slavery into the Northwest territory, now covered by the states of Ohio, Indiana, Illinois, Michigan, and Wisconsin. This may justly be regarded as being, in the main, a southern measure. This subject was first brought forward in Congress by Mr. Jefferson. Virginia made the cession of territory upon which the ordinance was intended to operate, and the representatives from all the slaveholding states gave it a unanimous support. Doubts have arisen in the minds of some whether the ordinance of 1787 was authorized by the articles of the confederation. A bill was introduced in the new Congress at its first session under the constitution, recognizing and adapting it to the new organization, and it has ever since been treated and regarded as a ~~the~~ highest and best act. This bill received the constitutional approbation of President Washington. Nor was it sworn duty it was to support the constitution under which it was enacted. Nor was the north backward in doing its part to sustain the policy which had been wisely adopted. They assented to the insertion of provisions in the constitution necessary and sufficient to protect that interest in the states, and they did so.

The trouble apprehended at the commencement of the form of petitions presented to Congress upon the subject of slavery and the slant of a society for the promotion of and New-York, and by Dr. Franklin as president of Representatives referred to a committee of seven, all but one of whom were Northern members, whose report as amended in committee of the whole affirmed that Congress have no power to interfere in the emancipation of slaves, or in the provision of any regulation therein which humanity and true policy might require." A faith with which both branches of policy thus adopted

The perseverance and recognition and carried out, are highly honorable to the whole country. The peculiar liability of the subject to be converted into an element of political agitation attempts so to employ it; but these efforts have been very successfully frustrated by the good sense and good feeling of the people in every quarter. A detailed account of the numerous acts of the Federal Government, of the United States, and its extension to the territories, and the steps taken, in the slaveholding states, to suppress or neutralize undue agitation in regard to it, would be like instructive and honorable to the actors in them.

But it will be readily perceived, that this could not be given within the necessary limits of a communication like the present. It must therefore suffice to say, that, from 1787, the date of the ordinance for the prevention of slavery in the North Western territory, down to and including 1838, at least eleven acts of Congress have been passed, organizing territories which have since become states, in all of which the constitutional power of Congress to interdict the introduction of slavery into the territories of the United States, is either directly exercised, or clearly asserted by enactments, which, as matters of authority, are tantamount to its exercise; and that at the only period when the peace of the slaveholding states was supposed to be seriously endangered by abolition agitation, there was a spontaneous uprising of the people of the north of both parties, by which agitation was paralyzed and the south re-assured of our fidelity to the compromises of the Constitution.

In the laws for the organization of the territories which now constitute the states of Ohio, Indiana, Michigan, Illinois, Wisconsin, and Iowa, slavery was expressly prohibited. The laws for the organization of the territories of Mississippi, Orleans, Arkansas, Alabama, and Florida, contained enactments fully equivalent in regard to the extent of power in Congress over the subject of slavery in the territories to the express exercise of it in the other cases. These acts were approved by Presidents Washington, the elder Adams, Jefferson, Madison, Monroe, Jackson, and myself, all bound by our oaths of office to withhold our respective approvals from laws which we believed unconstitutional. If, in the passage of these laws, during a period of half a century, and under the administration of so many Presidents, there was any thing like sectional divisions, or a greater or less participation in their enactment on the part of the representatives of the slaveholding or of the non-slaveholding states, I am not apprised of it.

believe the plan devised by the founders of the government, including the Fathers of a political Church, for the treatment of this great subject, and which has hitherto been a faithfully sustained, and which has proven so successful in preserving the union of these states, to be not only the wisest which the wit of man could have devised, but the only one consistent with the safety and prosperity of the whole country. I do therefore desire to see it continued so long as slavery exists in the United States. The extent to which I have sustained it in the various public stations I have occupied is known to the country. I was at the time well aware that I went further in this respect than many of my best friends could approve. But deeply penetrated by the conviction that slavery was the only subject that could endanger our blessed Union, I was determined that no compromise as they were then understood, and it is now a source of consolation to me. I pursued the course I then adopted.

The doctrine which was pursued the course I then adopted. of the nation, is, in substance, late Baltimore Convention has presented for the sanction-  
lations of the constitution—that the laws I have referred to were but so many viola-  
clude slavery from the territories—this instrument confers no power on Congress to en-  
doctrine is set forth in the public has so often been done with the assent of all. This  
Convention, who, it is well known, opinion of the highly respectable nominee of that  
opinion, and who it is equally certain would not have received it, if he had not done so.  
It is proposed to give this doctrine the most solemn sanction known to our political sys-  
tem, by the election of its declared advocate as our supporter to the Presidency. If it re-  
ceives the proposed sanction of the people of the United States, the result cannot be  
doubtful. The policy in regard to the extension of the Territories, the result cannot be  
ted States, into which it has not yet been introduced, try to the territories of the Uni-  
mencement of the government, and the consequences of which have existed since the com-  
must cease, and every act of Congress designated to carry it into effect, be defeated by  
the veto of the Executive.

The territories now owned by the United States, and every acquisition of territory that may hereafter be made by the United States, whether obtained by cession for a valuable consideration, or by conquest, must as long as the annexation, by and as far as the National Legislature is concerned, be subject to the introduction of slavery. And this consequence is to be submitted to on the assumption that the free Constitution, with their attention directed to the subject, and with a well understood desire to do so, have failed to clothe Congress with the necessary powers to prevent it. I cannot with my vote contribute to this sanction. I cannot do so, because I cannot concur in the opinion which we are called upon to sustain.

Entertaining these views of the Constitution, I could not by my vote contribute to the proposed sanction of this new principle in the administration of the federal government, without, at the same time, avowing myself to be in favor of the extension of slavery in the abstract, and this I can never do. Those who agree with me in regard to the existence of the power and the expediency of our exercising it, and can still bring their minds to dissent from this conclusion, must have more light upon the subject, or have greater power of discriminating than I possess. I do therefore unhesitatingly approve of the course you propose to pursue, in withholding your votes from Governor Cass, and shall do so myself. If no other candidates than those now before the country are presented, I shall not vote for President. The manner in which our political brethren in other non-slaveholding States shall dispose of their suffrages, is for them to determine, and with it we have nothing to do. But that they accord with us in the opinion as to the existence of the power in question, and the expediency of exercising it whenever the occasion for so doing arrives, we have the best reason to know.

The power, the existence of which is, at this late day, denied, is, in my opinion, fully granted to Congress by the constitution. Its language, the circumstances under which it was adopted, the recorded explanations which accompanied its formation—the construction it has received from our highest judicial tribunals, and the very solemn and repeated confirmations it has derived from the measures of the government—leave not the shadow of a doubt in my mind in regard to the authority of Congress to exercise the power in question. This is not a new opinion on my part, nor the first occasion on which it has been avowed. Whilst the candidate of my friends for the presidency, I distinctly announced my opinion in favor of the power of Congress to abolish slavery in the District of Columbia, although I was, for reasons which were then, and

are still satisfactory to my mind, very decidedly opposed to its exercise there. The question of power is certainly as clear in respect to the territories as it is in regard to that District; and as to the territories, my opinion was also made known in a still more solemn form, by giving the executive approval required by the constitution, to the bill for the organization of the territorial government of Iowa, which prohibited the introduction of slavery into that territory.

The opinion from which we dissent was given in the face of, and directly contrary to the views expressed, in forms the most solemn and explicit, by all or nearly all the non-slaveholding states, and we are not at liberty to suspect the sincerity of these expressions. Honest and well-meaning men, as we know the masses of our political friends in those states to be, are incapable of trifling with so grave a subject.

Our ancestors signalized the commencement of this glorious government of ours, by rescuing from subjection to slavery, a territory which is now covered by five great states, and peopled by more than four millions of freemen, in the full enjoyment of every blessing which industry and good institutions can confer. They did this when the opinions and conduct of the world in regard to the institution of slavery were very different from what they are now.

They did so before Great Britain had even commenced those gigantic efforts for the suppression of slavery, by which she has so greatly distinguished herself. After seventy-four years' enjoyment of the sacred and invaluable right of self-government, obtained for us by the valor and discretion of our ancestors, we, their descendants, are called upon to doom, or, if that is too strong a word, to expose to the inroads of slavery a territory capable of sustaining an equal number of new states to be added to our confederacy—a territory in a great part of which slavery has never existed in fact, and from the residue of which it has been expressly abolished by the existing government. We are called upon to do this at a period when the minds of nearly all mankind have been penetrated by a conviction of the evils of slavery, and are united in efforts for its suppression—at a moment, too, when the spirit of freedom and reform is every where far more prevalent than it has ever been, and when our Republic stands proudly forth as the great exemplar of the world in the science of free government.

Who can believe that a population like that which inhabits the non-slaveholding States, probably amounting to twelve millions, who by their own acts, or by the foresight of others, have been exempted from the evils of slavery, can, at such a moment, be induced, by considerations of any description, to make a retrograde movement of a character so extraordinary and so painful? Such a movement would, in my view of the matter, and I say it with unfeigned deference to the conflicting opinions of others, bring reproach upon the influence of free institutions, which would delight the hearts and excite the hopes of the advocates of arbitrary power throughout the world.

Holding these opinions, you have duties to perform as important as they are delicate. In the first place you should adhere inflexibly to your opinions as long as you believe them to be right, and no longer. This you will do. In the next place you should present your views in regard to them, calmly and distinctly, but firmly, to your political brethren of the slaveholding states, with a full statement of the reasons on which they are founded, that those reasons may be controverted if they are not sound. This you have done. In other important respects your positions are unassailable. The movement to advance the principle you desire to promote, was commenced in the right place, though, perhaps, not at the most desirable moment, and was not accompanied by partisan measures, or founded on political designs of any description, as far as I know or have reason to believe.

If I understand your course, your delegates went to the convention prepared to accept the nomination of any sound democrat, who had not actually submitted to a test which implicated the well-known and repeatedly expressed opinion of your state, without interrogating him in regard to his opinion on this particular question. In taking this ground, you pursued the only course by which the democratic party of the Union, as hitherto organized, can be perpetuated; and the just and fair-minded men of the party every where will, when the present excitement has passed away, approve your conduct. One thing more, and your whole action will, in the end, attract the attention, and enlist the good feeling of all just and generous minds. Let your farther proceedings in this whole matter be distinguished by moderation and forbearance.

Injustice must be resisted—indignities repelled; and all this can be done, with de-

ency and without impeachment of the motives of whole communities, on account of the conduct of individuals. The situation of your political brethren in the slaveholding states is not as favorable to calm discussion and dispassionate consideration as yours, and more will therefore, in this respect, be expected at your hands. If your differences must continue, do you at least sustain your views without vituperation or unnecessary excitements of any description. Exemplify your firmness and your confidence in the justness of your cause by the best of all tests—the dignity and moderation with which you uphold it. When the election is over, and reason resumes her empire, the ground which has been taken by your southern brethren will be reviewed with calmness, and if found to be untenable you are bound to believe that it will be abandoned. If in this you are disappointed, it will still be a consolation to know that you have done nothing unnecessarily, which could serve to exasperate alienations which may then become incurable.

Accept, gentlemen, my warmest acknowledgements for the obliging expressions contained in your letter, and believe me to be

Your friend,

M. VAN BUREN.

To Messrs. Samuel Waterbury, David Dudley Field and others, New-York.

At the conclusion of the reading of this letter, which was received with great cheering, the convention adjourned to 8 o'clock the next day.

This noble letter, breathing the purest patriotism, and far above all party lines or party distinctions, carries back the mind and the heart to the days of our forefathers. It speaks for itself, and will find a response in the bosom of every freeman who has not forgotten the struggles and sacrifices of those fathers to give to us, their children, the priceless heritage we enjoy.

#### SECOND DAY.

Colonel Young announced three telegraphic communications, addressed to him as President of the Convention :

By telegraph from Chicago.

To the President of the Democratic Convention.

Sir,—Please to make known to the convention that Northern Illinois is ready to fraternize with New-York. The undersigned, as democrats, with thousands of others, are ready to second any national movement in favor of Free Territory, and would suggest a National Mass Convention.

JAMES H. WOODWORTH, Mayor of Chicago.

THOMAS HAYNE,

ISAAC ARNOLD,

And One Hundred others.

UTICA, June 22, 1848.

By telegraph from Lafayette, Indiana.

To the President of the Convention.

We have our eyes upon you. Desire prompt action. Will throw a heavy vote. An enthusiastic mass meeting, whigs and democrats, in Tippecanoe, have spoken in unmistakable terms. Other counties will respond.

B. McFARLAND, President of Tippecanoe Mass Meeting.

By telegraph from Pittsburgh, Pennsylvania.

To the President of the Convention.

I mailed on Monday a communication requesting the holding of a convention at Cleveland, in July.

WM. LORIMER.

Letters were then read from leading citizens of Pittsburgh, proposing a National Free Soil Convention, and asking for the nomination of Martin Van Buren; from the States of Indiana and Wisconsin, giving the proceedings of free soil mass meetings held therein, the reading of which was followed by the most enthusiastic cheers.

Mr. Jewett then begged permission, as a delegate from Monroe county, (whose views on this subject were well known to the convention,) and in view of the deep importance of the present crisis, moved the nomination of MARTIN VAN BUREN for President. (Tremendous cheering.)

The President put the question,

And the Convention by acclamation named MARTIN VAN BUREN as their candidate for the Presidency; the delegates and the spectators crowding the church rising, and with waving handkerchiefs and shouts, cheered the nomination—three times three—and three times again.

The President declared the nomination carried by acclamation.

The Hon. HENRY DODGE, of Wisconsin, was then nominated as Vice President.

Delegates present from five other States were invited to participate in the doings of the convention: from Massachusetts—Nathaniel Morton, Colonel Artemus Fay; Connecticut—H. C. Lobdell; Ohio—James W. Taylor, Messrs. Parker, Colonel H. Park; Illinois—Almon Walker, Nicholas D. Clapp; Wisconsin—Marshall M. Strong, Horatio N. Chapman, O. A. Stafford.

On motion of Mr. Lobdell, of Connecticut—

*Resolved*, By the delegates present from other States than New-York, that the nomination this morning made by this Convention SHALL be responded to in the Free States which we represent, in a manner which shall speak in thunder tones that Free Soil on this continent shall remain free for ever!

Eloquent and able speeches were then made by Messrs. Washburn, Rathbun, B. F. Butler, Harrison, General Nye, and Colonel Young, of New-York; Taylor, of Ohio; and Davis and Morton, of Massachusetts.

Mr. Butler bore eloquent testimony to the firmness and fidelity of the Ohio delegation to the National Convention of 1844, in their resolute opposition to the sacrifice of Mr. Van Buren. Mr. Van Buren was then willing and desirous even to withdraw—he had written to that effect—he had desired that Silas Wright should be chosen. He, Mr. B., wrote a letter at Baltimore urging this necessity upon Mr. Wright, but his arguments made no impression on that man, more than Roman, more than Grecian, in his stern integrity. The New-York delegates then sought some other sound man. There were three several votes before Mr. Polk's name could be heard. That gentleman who wishes he had been born in Virginia, (I cannot wish Virginia so much harm,) went for Cass in preference.

The President, Colonel Young, also bore testimony in favor of the New-York and Ohio delegates—the latter even were more firm than the former. It was not (said Col. Y.) until they had perfectly assured themselves that Mr. Polk himself was no party to the conspiracy to defeat the will of the people, that they yielded their assent to his nomination. They knew that Cass had been engaged in that intrigue. Col. Young spoke of Cass as one who had a while ago come out in favor of the Wilmot Proviso—next mid its discussion was “premature,” and finding that was not a low enough point to secure the votes of the South, had come out and declared that Congress had no power to maintain freedom in free territory.

Mr. Taylor, of Ohio, thanked the President and Mr. Butler, for their tribute to the Ohio democracy in 1844. It was true and just. That State was devotedly attached to

Martin Van Buren. The masses are yet unchanged in confidence and affection. I trust that that great statesman—~~THE~~ statesman of the present day—will not hesitate to accept the position into which we have forced him. I can well conceive the struggle passing in his great mind. You have conquered him, and drawn him by force from his retirement. I trust he will stand forth the Jefferson of this day—the author of a declaration, not merely of financial independence, but of human freedom and rights.

Mr. Morton, son of ex-Governor Morton, of Mass., said he had come as the "voluntary escort," not of the Baltimore nominee, the great Michi-gander, [laughter and cheers] but of the men who came to assemble here and speak in the cause of free soil. He had found a body of men here, such as he had never seen surpassed in intellectual and moral weight, engaged in a great and patriotic task. He was proud to be associated with the New-York democracy; and if he ever were so recreant to the land of his birth, as to wish to have been born anywhere else, it would be to have been born in New-York. [Cheers.]

He had been a delegate to the body nick-named "the democratic National Convention." In that body it was as impossible for a northern or eastern man to catch the eye and ear of the President, as it was "for Taunton water to run up hill." New-York never occupied a prouder position than the day she turned her back on that convention. That act raised a spirit never before felt in Massachusetts, which you may already see manifested in the thousands uprising and ready to vote for Martin Van Buren. After dwelling on the rising spirit of the east, Mr. Morton concluded by claiming the privilege of a Yankee to ask, "if this convention was a faction of the New-York democracy, where do you find your party?"

The following resolutions reported by Hon. B. F. BUTLER, were then read and adopted:—

*Resolved*, That this convention cordially approves the course taken by the regularly appointed delegates of the democracy of New-York, to the National Convention lately held at Baltimore, in rejecting the arbitrary and insulting conditions prescribed by the committee on credentials, and in withdrawing from the convention, when not allowed to sit therein as the true and exclusive representatives of this state; and that by their fidelity and firmness in thus nobly sustaining the honor of their party and their state, they have entitled themselves to the lasting gratitude of both.

*Resolved*, As the deliberate judgment of this convention, that the representatives of the democracy of this state, having been virtually excluded from any participation in the deliberations and doings of the convention lately held at Baltimore, the democracy of this state are under no obligations whatsoever to support the nominations there made; and that our delegates were fully justified in recommending the assembling of the present convention, to the end, that the democracy of New-York might, through its agency, take the requisite measures for the vindication of their honor, and the assertion and maintenance of their rights.

*Resolved*, As the sense of this convention, that it is expedient for the democracy of New-York at this time, and by the voice of this convention, to nominate candidates to be recommended to the support of the democracy of this State and of the Union, for the office of President and Vice-President; and in pursuance of the unanimous acclamations of this convention, it is further

*Resolved*, That Martin Van Buren, of the State of New-York, be, and he is hereby nominated as such candidate for the office of President of the United States; and that Henry Dodge, of the State of Wisconsin, be, and he is hereby nominated as such candidate for the office of Vice-President.

*Resolved*, That in nominating for the Presidency the accomplished democratic statesman whose name we have now presented to the nation for re-election to the chief magistracy in despite of his positive injunction to the contrary, we have proceeded on the principle that in a crisis like the present, the people have a right to demand as their standard bearer in the momentous struggle on which they have entered, the man best



qualified by talent, experience, and wisdom for a distinction so conspicuous and honorable.

*Resolved*, That while we will faithfully abide by all the compromises of the Constitution in regard to slavery within the states, and therefore disclaim all right to interfere in any way whatsoever, with the Constitution as it there exists, we yet feel ourselves justified, required, and compelled to declare in reference to the proposed extension of slavery to territories of this Union, now free, that we regard domestic slavery, even with the mitigating circumstances which attend it in the slaveholding states of this republic, as a great moral, social and political evil—a relic of barbarism which must necessarily be swept away in the progress of Christian civilization; and which, therefore, ought not to be established, and by our agency and consent shall never be established in the virgin soil of these territories. And in this spirit we again repeat the solemn declaration so often affirmed by the democracy of this state, that we are uncompromisingly opposed to the extension of slavery by any action of the federal government to territories now free.

*Resolved*, That the power to prohibit the introduction of slavery into territories of the United States, now free, is clearly delegated to Congress by the constitution; and that the highest considerations of patriotism, the strongest sentiments of justice and humanity, consistency with our professions of democratic principles, and a proper respect for the enlightened opinion of mankind, require that this power should be exercised in favor of freedom.

*Resolved*, That useful labor being essential not merely to the subsistence, health and comfort of man, but also to his highest happiness, his moral and intellectual elevation, should at all times and in all places be esteemed respectable and honorable. One of the great evils of slavery is the false degradation of labor, whereby in slave countries the free laborer is, in effect, excluded from all those branches of industry usually carried on by slaves. Thus the accumulation of national wealth, and the progress of civilization are greatly retarded for the want of that energy, intelligence, and inventive skill, which result from the competition of freemen.

*Resolved*, That by permitting labor to be degraded by the introduction and spread of slavery throughout the extensive territories of New Mexico, California, and Oregon, we should perpetuate an act of gross injustice against all the free laborers of our own country, and of over-populated Europe, in this and succeeding generations, who may desire to seek for themselves and their families homes in those regions.

*Resolved*, That the doctrines and opinions avowed by the Presidential nominee of the Baltimore Convention, in relation to the power of Congress to prohibit slavery in the territories of the United States in which it does not now exist; and the position he has assumed, and now occupies, in this respect, has, in the judgment of this Convention, totally disqualified him to receive the support of the democracy of this State, for the high office in question; and that it is therefore utterly impossible that we should yield him such support.

*Resolved*, That we view with feelings of deep regret the dilatory course pursued by a majority of the Senate upon the bills for the organization of the government of Oregon, in which territory the savages have already exterminated, by horrid butcheries, some of our missionary families, and have put the rest of our citizens in imminent danger of being totally cut off; and that we call upon the American people in this defection of the Senate, to stand by the people of Oregon, and to use every means in their power to compel our government to give that relief which has already been too long withheld.

*Resolved*, That we adhere to the great principles of liberty, justice and benevolence, proclaimed in the Declaration of Independence—vindicated on the battle-fields of the revolution—expounded in the inaugural address of Thomas Jefferson—and illustrated in the great measures of the several democratic administrations, by which the welfare of the people, the integrity of the States, and the glory of the nation, have been so wisely and successfully promoted; and that under no political necessity whatsoever will we ever abandon them.

*Resolved*, That the right of the people to self-government, and the exercise of that right, impose duties of high responsibility upon all who participate in it—among which are constant and untiring vigilance against the encroachment of delegated power upon the rights of the masses and of individuals, the strict accountability of public agents, and the universal diffusion of intelligence among the people; that absolute and irresponsible

governments are overthrown to little purpose, if their contrivances to oppress and tax the people, and deprive them of the means of comfort and knowledge are to be renewed in the name of Republicanism. That among these contrivances are unnecessary public debts, funding schemes, high taxes, however masked, standing armies, profuse expenditures of the public treasures, with a view to pension dependents, reward followers, and corrupt elections; that as friends of limited, equal and frugal government, we are constrained by the highest obligations of duty to make unceasing efforts to retrench and decentralize the patronage and influence of the federal government—to discountenance special legislation, and to reform abuses in every department, and of every description whatsoever.

*Resolved*, That while we repudiate as unconstitutional and dangerous, any power in Congress to make internal improvements for local purposes within the limits of any State, we think Congress has the power to make appropriations for the protection of commerce with foreign nations, and among the several States, by the improvement of harbors and rivers within the limits and according to the principles stated by the lamented Silas Wright, in his letter to the Chicago Convention.

*Resolved*, That in case any Convention of the free States, or of any of them shall be called, for the purpose of collecting and concentrating the popular will in respect of the question of the Presidency, in which, in the judgment of the delegates appointed to represent the democracy of New-York in the Convention lately held at Baltimore, it shall be proper for them to take their seats, they, the said delegates be and are hereby requested—and so far as this Convention has power to do it, they are hereby authorized to attend and take part in such Convention.

*Resolved*, That in view of the importance and necessity of a full discussion of the great question of the day, we recommend to our friends throughout the State the establishment, in every town and ward, of Jeffersonian Leagues for free soil and free principles, and of a like central league for the county, for the dissemination of sound opinions on those subjects by personal discussion and cheap publications.

After the resolutions had been disposed of, Mr. Butler said, that the action of the Convention had resulted somewhat different from what he expected. He did not, after the letter which had been read from that distinguished individual, expect the nomination of Martin Van Buren. In view of the circumstances under which the nomination was made, he thought Mr. Van Buren would not feel at liberty to decline it; but Mr. Butler put his acceptance clearly, entirely and explicitly, on the fact that he had ever been ready to sacrifice his personal feelings to duty.

Mr. Butler then proceeded to state a fact—one that he had never before made public. In 1844, after the democracy of this State had inscribed the names of Polk and Dallas upon their standard, he (Mr. Butler) received from Andrew Jackson, a letter—one of the last ever received by him from that illustrious man—expressing entire approbation of his course on the most trying and painful circumstance of his life, (referring to Mr. Butler's course as a friend of Mr. Van Buren in the convention of 1844.) He went further, (said Mr. Butler,) he said at the close of the letter, that this was but a temporary withdrawal from Mr. Van Buren, of that full, generous confidence which he deserved, and he predicted that in 1848 the people would unite in calling Mr. Van Buren to the Presidency, by acclamation. On his return to the city, Mr. B. would publish extracts from this letter.\*

\* Mr. Butler on the 27th June published, in the New-York Evening Post, the extracts furnished by him—from which we take the following:

“HERMITAGE, June 24, 1844.

“My Dear Sir—After the explanations received through Major Donelson, of the circumstances in the Convention, which produced the withdrawal of Mr. Van Buren, and the nomination of Mr. Polk, mainly by your instrumentality, I cannot withhold from you the expression of my approbation of the course you adopted.

“Regarding in this light the instrumentality of New-York in the nomination of Mr. Polk, it can have no bad effect on the character of Mr. Van Buren. On the contrary, it must exalt him still higher as a patriot and disinterested statesman. It will place him above all competitors in the gratitude and affection of those who really comprehend the great principles which divide the republican and federal parties.

“I cannot hope to be alive and witness the acclamation with which the people of the United States will call Mr. Van Buren to the Presidency at the expiration of Mr. Polk's term; but you will, and I know you will rejoice at it as the consummation of an act of justice, due alike to him and to the honor and fame of the country. I am thus consoled for what would otherwise appear a capricious change in public opinion, relying, as I have always done, on the superintending care of the Almighty, in all that concerns our beloved country

ANDREW JACKSON.”

Mr. Tilden of New-York, whose name has not appeared in the doings of this body, but who was yet active in the proceedings, and one of the ablest members of the convention, offered a plan of organization. This was adopted, after which the President made a brief address and the convention adjourned, *sine die*.

The address of this meeting, prepared by Hon. B. F. Butler, is an able, patriotic, and eloquent document, and places this great movement before the country in the clearest light.

ADDRESS OF THE DEMOCRATIC STATE CONVENTION, HELD AT  
UTICA, N. Y., JUNE 22 AND 23, 1848.

*To the People of the State of New-York and of the United States.*

FELLOW CITIZENS—The unprecedented circumstances under which the convention that now asks permission to address you was brought together, the serious questions it has discussed, and the important measures it has taken, impose upon its members, with more than ordinary force, the duty of laying before you a full and frank exposition of their sentiments, motives and designs. This we shall proceed to do in the language of sincerity and respect, of candor and of confidence, in which free Americans should be addressed—in which free Americans should speak.

DEMOCRATIC PARTY OF THE UNION AND OF NEW-YORK—PRESENT ATTITUDE OF THE LATTER.

For more than fifty years the friends of democratic liberty in the United States, in the South and in the North, have, more or less closely, been banded together in party associations. In the methods, and under the influences, resulting from these relations, they have, from time to time, united in the support of principles and of objects, of measures and of men, essential, as they supposed, to the useful workings of our federative system, and by the just support of the State authorities. Through the combined agency of the Federal and State governments, and by the control they have exercised over both, the democratic party of the Union have been enabled largely to promote the welfare of the people and the advancement of society, and with them, the strength and the renown of the American republic. All the prominent measures of this century, by which our independence and character as a nation have been so strengthened and illustrated—our territorial limits extended from the Atlantic to the Pacific—the integrity of the States and the liberties of the people, so effectually secured, and by which so much has been done to make the government of the Union “the sheet anchor of our peace at home and our safety abroad,” and to base its legislation on principles of equal and exact justice—of humanity and benevolence—all, without exception, have been accomplished for ourselves and for the world, under the favor of Providence, through the ascendancy, or by the influence, of this great and patriotic party.

To this service of duty and of honor, the republicans of New-York (without vanity in themselves, or injustice towards others, we think it may be affirmed) have contributed their full share. Thomas Jefferson, the first in the long line of Democratic presidents, could not have been elected without their vote. James K. Polk, as yet the last in the series, owes his elevation peculiarly to them. Without their zealous and efficient co-operation, the saving and time-honored principles proclaimed by the former in his inaugural address, might never have been established. Without the like instrumentality, the great national measures which have been consummated during the administration of the latter, could not have been achieved.

This association, so noble in its origin and objects, so illustrious by its triumphs, and so beneficent in its results, has, within the last few weeks, been rudely interrupted; and so interrupted, as to place the democracy of New-York, represented by this convention, in the attitude of unavoidable antagonism and resistance to what is claimed to be, and what nominally is, the voice and the will of the democratic party of the Union. In truth and in fact our antagonism and resistance are not to our brethren of the other states, generally, nor to the wishes and judgment of the party as a whole; but only to a small minority of the party belonging to the slave-holding states, who have assumed the control of its national organization, and to the insults and wrongs, which, by means of this control, they have inflicted upon us.

—With this national posture, there is also a breach in the ranks of the democracy of our own state. What many of us have long apprehended as the result of the difficulties and dissensions of the last few years, has at length come to pass. They who, as citi-

zens of New-York, for so long a period, in harmonious and successful concert, strove together in the political arena, are now separated—totally and finally separated—from each other.

The causes which have led to a state of things so undesirable in itself, and so inauspicious in its auguries and the immediate means by which it has been brought about, are so well known to the people of New-York, that our present appeal, if designed exclusively for them, might well omit any exposition of these topics. As it is, we shall content ourselves with a brief reference to the more notorious and material facts.

FINAL DIVISION OF THE DEMOCRATIC PARTY OF NEW YORK—HOW EFFECTED, AND WHO RESPONSIBLE FOR IT.

Reversing the order in which the topics alluded to were named, we remark, that the final breach in this state is to be traced to a radical difference of opinion existing, so long back as 1837, between certain leading individuals and the masses of the people in respect to the financial measures then proposed by the national administration. This difference, however honest on the part of the dissentients, introduced into the bosom of the party, the seeds of disunion.—For a season, smothered and kept down, they were, afterwards, by the influence of a like dissent, on the part of the same individuals and of others who united with them, to the debt-paying and debt-avoiding policy of the state administration, made to spring up and to grow with the most fearful rapidity and rankness. The veto power given by the constitution and exercised by Silas Wright, rescued from the perils to which they were exposed, the resources and the credit of New-York.

To this act of Roman firmness, and to the general course of his administration, the faction of which we speak, though not always openly opposed, was always really hostile. Receiving, from the unmerited favor with which, most unfortunately for New-York, it was regarded at Washington, a large amount of aid and comfort from the national administration, it gradually swelled to a size, and acquired a capacity of mischief, which, unfostered by such aliment, it could never have attained. It finally effected the defeat of that great man, and again placed the power of the state in the hands of the men by whose reckless expenditures and engagements, its finances had been so alarmingly disordered, and by whom, but for the salutary restraints of our new constitution, they might again be put at hazard.

The untimely death of the illustrious pilot by whose energy and skill the storm had been weathered, soon followed his expulsion from the bark of state; and in his grave—to use the expressive language of the first of our literary societies—"in his grave lie buried the hopes of millions of his countrymen." The sorrow which rent the heart of the democracy of New-York, the universal sympathy of all classes of our citizens, the sighs and lamentations of the whole American people, were, however, incapable of reaching the deadened sensibilities of the faction by which he had been immolated. Within two months after all that was mortal of Silas Wright had been consigned to its native dust, Azariah C. Flagg, the most trusted, the most tried, the most useful of his companions in official duty, was driven, by a majority fraudulently seated in the Syracuse Convention, from the service of the state. This act was accompanied by another violation of the popular will, far more flagrant in its character, since it involved a gross dereliction of the principles of freedom. We refer to the rejection of a resolution against the extension of slavery, by any action of the federal government, to any territories then free, thereafter to be acquired by the United States.

In the honest excitement produced by these outrages, the free democracy of New-York were impelled to the adoption of measures not altogether conformable to the strictest rules of our ancient discipline. Much as we approved and honored the feelings from which they sprang, many of the undersigned, and great numbers of their constituents, did not, at the time, concur in these measures. Candor, however, now requires the acknowledgment, that in the light of subsequent history, we clearly see, that though irregular in form, they were indispensable to rouse and vindicate the popular will; were evidently approved by the democratic masses; and were, therefore, in substance, among the wisest and most useful ever taken for the safety and welfare of the party.

At all events, the Herkimer Convention actually held in October, 1847, and the Herkimer Convention appointed to be held in February, 1848, were quite as regular in form as many of the proceedings of the Syracuse Convention, and as the convention

appointed by usurpers acting under its sanction, to be held in Albany, in January, 1848. In motive and design, they were incomparably superior. The object of the former was to bring out, and to effectuate the will of the majority; of the latter, to misrepresent, to stifle, and to overthrow it. When the democratic members of the Legislature, in November last, in accordance with regular and invariable usage, designated Utica as the place, and the 16th of February, 1848, as the day for the assembling of a State Convention, to appoint delegates to the National Convention, or to determine how they should be appointed, those of us who desired to preserve entire the democratic party of New-York, hailed the measure with delight. We saw, as we supposed, in this middle ground between the Herkimer and Syracuse Conventions, the means of bringing together the two branches of the party on just and honorable terms. We took it for granted, that both would bow to the decision of their regularly constituted representatives; that both would abandon their proposed separate organizations; that each would recognize the convention at Utica as the only regular body; and that, in fair, and allowable rivalry, they would respectively endeavor to obtain the ascendancy in its councils.

One of the antagonistic powers had the wisdom and the patriotism to pursue this course. The convention proposed to be held at Herkimer, was abandoned. The other party for reasons satisfactory, no doubt to its leaders, thought differently, and determined to persist in its separate organization. Is it too much to say, that in this fact, we have a conclusive admission of their weakness with the people? Had they believed that the masses were really with them—that by going into the Utica Convention, they could outnumber their antagonists—would they, think you, have missed the opportunity?

The Albany Convention, in pursuance of this determination was brought together; and though utterly unauthorized to express and most impotent to control the popular will, its supplies of cunning and its powers of evil were abundant. Most unfortunately, too, it had a strong and decided bent for their exercise. Its leaders assumed to direct and control the choice of delegates to the National Convention to be held at Baltimore. They directed them to be chosen by districts, instead of being appointed by a State Convention. In this they went directly counter to the settled decisions and policy of the party.

To this novelty they added another, never before dreamt of in this state—the nomination of a complete ticket of Presidential electors, four months in advance of the National Convention—a ticket which never would have been patched up in so disjointed a way, had not its authors abandoned all hope of obtaining the ascendancy in the Gubernatorial Convention, to be held in September next, to which, by the usage of the last twenty years, the nomination of the electoral ticket exclusively belongs—a ticket, which, in spite of these unanswerable objections, and of the declension of several of its members, is now obtruded by the newspapers of the faction upon the democracy of New-York as their regular electoral ticket, for the support of their regular Presidential candidates. Truly, in point of regularity, the two tickets, as addressed to the democracy of New-York, are equal to, and worthy of, each other.

“None but themselves can be their parallel.”

To return—it was by these measures most deliberately planned—by these palpable usurpations of authority, that the contrivers and members of the Albany Convention effected the final division of the democracy of New-York. By these their suicidal, but voluntary acts, they cut themselves from the parent stock. They, therefore, and they alone, are responsible for the actual separation, and for all the evils, state and national, which may follow in its train.

• BREACH BETWEEN THE DEMOCRACY OF NEW-YORK AND THE SLAVE POWER OF THE SOUTH—  
BALTIMORE CONVENTION OF 1848—ITS DOINGS AND ITS DOCTRINES.

For the purpose of nominating candidates, to be supported by the democracy of the Union, for the offices of President and Vice President, a National Convention was convened at Baltimore, during the last month. In this body the democracy of this state were entitled to be represented by thirty-six delegates, and to give thirty-six votes—a number equal, within a fraction, to one-eighth of all the votes to be given, and fully equal to all the votes of nine of the smaller states. To enjoy this representation, and to give this vote on all questions that might come before the convention,

thirty-six delegates were duly appointed, on behalf of the democracy of our state, in a state convention, duly called by the democratic members of the legislature, and regularly held, in the city of Utica, in February last, to attend that convention.

They repaired pursuant to their appointment, to the city of Baltimore; but they were not permitted, on equal and honorable terms, to take their seats in the National Convention. Their claims to those seats were contested by spurious delegates, chosen in the irregular way, and under pretence of authority, from the irregular and unauthorized convention held at Albany in January last, of which we have already spoken. We deem it wholly needless to enter into any detailed account of the wrongs and indignities received by our delegates at the hands of the convention and its organs. In their able and lucid report heretofore extensively published in the newspapers, and forming a part of our present proceedings, such an account has been given by the delegates themselves, in language alike calm, dignified, and truthful; and to this we refer you for all needful particulars.

Traduced by several leading members of the convention on the floor of the assembly; insulted by the committee, to which the conflicting claims of the two delegations were referred; reported against by that committee, because they would not submit to such insult; subjected, afterwards, to a scrutiny as to the character of their opinions on a question of national policy, which however important in itself, and momentous in its bearings, had no connection whatever with the validity of their title to seats in the convention; stigmatized as no democrats, because in respect to this question, they faithfully represented the dictates of their own consciences, and the opinions of their constituents; their claims were, at length, disposed of by a resolution which, while it left undecided the merits of the controversy, abundantly exemplified the impatience, partiality, and injustice of the convention. The antagonistic delegations—each of which denounced the other as mere pretenders—were gravely invited to sit together in the assembly; to unite, if they could, in the vote to be given, and to see their state disfranchised, if they could not so unite.

Our representatives were thus compelled to one of two courses: either with their claims undecided, their title unexamined, and their credentials unopened, to enter the convention, with an equal number of persons, claiming title to their seats, capable of nullifying their every act and volition—and predetermined so to do—in other words, to permit their vote to be made a blank, and their voice to be drowned amid the strife of tongues; or else, shaking the dust off their feet, to quit a place from which justice and reason had already gone. The latter alternative they instinctively adopted; thus nobly maintaining the honor of their party—the honor of their state.

The opposing delegation, equally with ours, protested against the resolution of the convention, evading the issue it was bound to meet and to determine, as erroneous and absurd; and they, too, refused to sit as members of the body, on the terms proposed. Between them and their constituents and ourselves, there is therefore, on this point, no room for debate. To prove the course of the convention wrong, we have only to refer to the recorded argument of our adversaries.

But, though the conduct of the convention can find no support in reason or analogy—and, though it is for this cause, condemned by the two contesting parties—attempts have yet been made, in certain quarters, to excuse, and even to justify it, by an appeal to precedent—the ever ready resort at all times in countries of tyrants and their apologists.

We are told that in the National Convention of 1835 two sets of opposing delegates from Pennsylvania claimed admission as representatives of the State; that the Convention refused to decide the question presented to it, and admitted both sets to sit and vote for the State. But on that occasion both sets of delegates acquiesced in the decision, each being content to sit, and actually electing to sit "in the body" on the terms prescribed. It was, moreover, expected by the convention that they would take this course, because it was well known that the division in the state was purely local; that it did not extend to national politics; and that both sets would vote, as they actually did vote, for the same candidates for each of the offices for which the nominations were to be made. The result, therefore, it was seen, would be the same, as far as regarded the nominations, whether the one set or the other, or whether both conjointly, were to be admitted into the body. Besides, to provide for any unexpected difference in their votes, the resolution was so explained as to call for further action on the part of the convention, in case of any such contingency. Here, on the contrary, the resolution was

final; it tendered to the seventy-two claimants the right of giving, by their concurrent voice, thirty-six votes, though it was notorious that the difference between them extended to national politics; that this difference could neither be reconciled nor compromised; and that, in the nature of things, it would necessarily produce an utter repugnancy of sentiment and of action in the nomination of candidates and the settlement of principles.

The convention, therefore, perfectly well knew that the admission of the two sets, if both entered the convention on the terms proposed, would neutralize and destroy the vote of the state. If, on the other hand, the proposed seats were rejected by both, the state would be totally disfranchised. If one set entered, and the other refused to enter, the vote of the state would be given by persons who, by the concession of the convention, were not fully entitled to execute the trust. If, then, it were allowable, in associations of this nature, depending for their sanction on the voluntary principle, to offer up at the shrine of precedent the indisputable conclusions of reason and justice, this is not the case for such a sacrifice. The precedent referred to is not identical in its facts with the case in hand. It differs from it materially—vitally; and the disposition which was made of it was entirely different in principle. The course of the late convention can, therefore, derive no support or countenance from that pursued by the convention of 1835, in the case of Pennsylvania.

The wrongs and indignities heaped by the convention upon the delegates of our democracy, great as they were, sink into comparative insignificance when viewed in connection with the motive which led to their perpetration, and with the object intended to be effected by them. These have been so transparently disclosed in the action of the State conventions and other bodies in the Southern States; in the newspaper publications in the same quarter, which preceded the meeting of the convention, and foreshadowed its proceedings; in speeches delivered on the floor of Congress, in advance of the same event; in the public declarations of leading members of the convention, during its session; and in its recorded votes and doings; that we feel ourselves authorized to affirm that our delegates were rejected, not for any believed or suspected invalidity of title; not for any imagined departure from regularity and order, in the source or the method of their appointment; but because of the dissatisfaction, the displeasure, the contempt, with which the opinions of the free democracy of New-York, and of their true and faithful representatives, were regarded by the majority of the body. In this affirmation we do but anticipate the voice of impartial history—the judgment of a dispassionate and honest future.

And what, fellow-citizens, are the opinions which have thus drawn down upon the democracy of New-York the wrathful indignation of their ancient associates—their brethren in the faith? Have we given up the Declaration of Independence; or abandoned the resolutions of '98; or repudiated the inaugural address of Thomas Jefferson? Have we rejected the independent treasury, or received to our embraces a Bank of the United States? Have we, in any form, bowed down before any of the golden calves which pride, avarice, and the spirit of monopoly, are ever ready to set up for the worship of the selfish and the venal? Have we proved faithless to the popular will? misrepresented our constituents? denied or caviled at the right of instruction? broken our pledges, or resorted to equivocations and contrivances to evade and defeat them? Have we failed to sustain the national war? denied to it men or money, for the performance of its duties, or been backward in any thing that concerned the welfare of the people, or the honor of the republic? Have we become indifferent to the cause of freedom in other lands, or careless of the effects of our conduct and examples upon its progress?

No, fellow-citizens, none of these things have been imputed to us. The head and front of our offending consists merely in this. We had simply declared that while we would faithfully adhere to all the compromises of the Constitution, and would maintain inviolate all the reserved rights of the States, we were uncompromisingly opposed to the extension of slavery, by any action of the federal government, into any territory of the United States already or hereafter to be acquired, in which it does not now exist; and that, to this end, we desired, and so far as our efforts constitutionally directed, could accomplish it, we designed, that the prohibition of slavery contained in the ordinance of 1787, first proposed in 1784, by Thomas Jefferson, should be applied to these territories, so long as they should remain under the government of Congress.

Before the assembling of the Baltimore Convention, the slave power, in many of its conclaves, sat in judgment on these opinions; condemned them as heretical; denounced

all who held them as apostates from the democratic faith; and resolved to support no one for the Presidency or Vice Presidency, who should adopt or favor them. It was to carry out these predeterminations, to give effect to this foregone conclusion, that our delegates were placed under the ban. It was to punish them for their opinions—to prevent the nomination of candidates who entertained, and to secure that of candidates who abjured such opinions,—that they were only to be received, if received at all, as culprits, each with a beadle at his side, by whom, if he exercised a volition of his own, or moved a tongue for his constituents, he was to be held and silenced—it was for this that the democracy of New-York, in the persons of their true and inflexible representatives, were traduced, insulted, and spurned by men calling themselves democrats, in the face of the nation, and in the assembly of their peers.

From these strictures, it is not less agreeable to our feelings than due to justice, to exempt many honorable members, who, as we learn from our delegates, and from the published debates of the convention, labored in vain to procure a decision upon their claims, and wholly disapproved the conduct of the majority.

Of this majority, the doings and the doctrines are alike reprehensible, whether we regard them in their principle or their form. In each, the same odious design is sought to be compassed by indirection. The true delegates of New-York are nominally received, but really rejected; a resolution explicitly proclaiming the dogmas of the slave power, as expounded in 1848, is rejected; but its followers are to find them in a new interpretation of the creed of 1840 and 1844, to which its candidate for the Presidency gives his ready assent as the price of his nomination.

These dogmas, as set forth in the resolutions of the Democratic Convention of Alabama, and of several other States, and as maintained on the floor of Congress, and in the public prints in the interest of the slave power, are—

That neither the Congress of the United States, nor the people of the territories in question, have the power to prohibit the introduction of slaves into such territories.

That it is only by a State constitution, framed by the people of the territory, preparatory to its admission into the Union as a State, that such prohibition can be established.

That in the mean time, the slaveholding citizens of the United States, who choose to do so, may rightfully emigrate with their slaves to the territories in question, carrying with them the laws of the State from which they go, so far as such laws authorize and protect property in slaves.

That slavery thus planted in these territories, becomes thenceforward, unless the people by a State convention shall ordain to the contrary, part and parcel of their institutions; and entitled, while the country remains under the government of Congress, to all the immunities and safeguards which, under the Constitution of the United States, belong to it in the States.

These, it is claimed by the slave power and its supporters, are the true, the constitutional rights of the slaveholding States and their inhabitants in respect to the territory of Oregon, from which slavery was excluded, as to its eastern section, by the Missouri compromise act of 1820, and as to its western (in which indeed it never existed) by the voluntary action of its inhabitants; and in respect also to New Mexico and California, in which slavery was, years ago, abolished by the decree of the Mexican Congress.

By many of the politicians and writers of the south, the successful assertion of these pretensions has been declared to be a matter of such moment to the slave interest, that a dissolution of the Union should be preferred to any modification or compromise whatever; though, in some cases, a disposition has been manifested to accept the line of the Missouri compromise.

These demands of the slave power, if fully conceded, would make the government of the United States the instrument of abolishing freedom, and establishing slavery in the extensive regions embraced within the three territories in question, equal to the thirty states already in the Union. If only conceded to 36 degrees 40 minutes north latitude, (the line of the Missouri compromise) freedom would be abolished and slavery established in a tract of less extent, but still equal to six states of the size of Indiana. Whether established to this latter extent, or over the whole of the territories, it will equally, in either case, expose our people to the temptation of still further acquisitions of territory, by annexation, by purchase, or by conquest, for the benefit of the slave power.

Slavery, planted in these regions, or any part of them, by the action of the federal government, will, of course, carry with it all the evils, moral and social, inseparable



from the institution. Where it once obtains, during the territorial rule, any considerable foothold, it will, as all experience has shown, be perpetuated by the constitution to be formed when the territory is converted into a state; and when thus perpetuated in a state, the arrangement of the federal constitution, by which three-fifths of the slave population are counted in the apportionment of Representatives in Congress, is also made perpetual. The advantages already derived from this arrangement, by the slaveholding States, sufficiently explain their determination to extend it, by any means by which it may be done, to the new territories. In this fact we have also the key to all the attempts made by the slave power, within the last eighteen months, to obtain—sometimes by flattery and seduction, at other times by insolence and intimidation—the assent of the free states to its doctrines and demands.

Hence, the dictatorial and offensive declaration put forth by the democratic conventions of Alabama and other states, that under no political necessity whatsoever would they support for the office of President or Vice President any person who should not openly and avowedly be opposed to the exclusion of slavery from the territories of the United States, either by the action of Congress, or of the people of such territories. Hence, also, the instructions given by these bodies to their delegates to the Baltimore convention, to vote for no man who should not unequivocally avow the like opposition. And hence, finally, the treatment extended by the majority of that convention, acting under the direction of the slave power to the men who so truly, and not more truly than regularly, represented at its bar the democracy of our state. The blow aimed at them was a blow at freedom. It reaches every free state in the Union—every freeman in the republic.

#### THE DEMOCRACY OF NEW-YORK NOT BOUND TO SUPPORT THE BALTIMORE NOMINEES.

The nomination by the Baltimore convention, of Lewis Cass, of Michigan, for the office of President, and of William O. Butler, of Kentucky, for the office of Vice President, having been made without the concurrence, the aid, or the participation of New-York, what is our duty in respect to them? Are we bound by any party tie, by any political necessity, or any other consideration, which should control reflecting and honorable men, to yield our support? In answering these questions, we lay out of view the indignities to which our delegates were subjected, and the motive by which the convention was instigated. We say nothing of the reservations, not merely mental, but openly expressed, of many of the southern members—we pass over the fantastical performances of the single delegate from the neighborhood of South Carolina, by whose voice potential the credentials of the delegates of New-York were hermetically sealed—we confine ourselves to the single but all-important fact, that the nominations thus proposed to the democracy of the Union, and of New-York, have been made without her voice; and that by those who made them she was purposely excluded, except on terms useless in effect and humiliating in their character, from any share in the transaction; and so, virtually, excluded altogether. Such being the fact, upon no conceivable ground can we be held to the support of the nominations. In cases of this sort, representation and obligation go together. When the former is denied, either totally, or by imposing unequal or degrading conditions, there is no room for the latter. It cannot exist.

That a fair and equal representation of the body which claims authority to bind, is absolutely essential to the existence of such authority, is, to all Americans, a self-evident proposition, our first lesson in political science, the very corner-stone of our political fabric. In our voluntary arrangements, we act by analogy to these settled principles of the representative system. In order, therefore, to make the voluntary convention a true exponent of the general will—which is its sole design—and to make its decisions obligatory on the constituent body, every part of such body should be represented; and the representation of the several parts should be equal. If it be not so constituted, the convention, more or less, fails to answer the purpose for which it was designed; and precisely in proportion to its deficiency in this respect will be the degree of its future failure.

In the present case, a state entitled to 36 votes out of 290, was virtually excluded from its place in the convention, and from all efficient share in its consultations and debates, its suggestions and decisions. Two consequences result. The National Convention, contemplated by the democracy of New-York, has not been held, for of that convention she was to be a member; but from the one which has been held she was arbitrarily excluded. Most

clearly, therefore, New-York is not bound to the support of its nominations: but this is not all. The National Convention contemplated by the democracy of other states, as well as of New-York, has not, in fact, been held; for they contemplated a convention in which New-York should be represented; in which New-York should be heard; in which New-York should vote; and in which South Carolina, if represented at all, should be fully and honestly represented. Had this occurred in the late convention, no one can know, and, therefore, no one can affirm, that the nominations in question would ever have been made. No one can say that the arguments and the votes of the representatives of a state like New-York, possessing so great an interest in the questions to be considered, and entitled to so large a vote upon those questions, might not have led to a different result.

The democratic electors of the states actually represented in convention are also, therefore, at liberty to reject or to receive the nominations of the convention as they may think expedient. Certainly they are under no binding obligation to sustain them, especially as the nominee for the Presidency never received a vote equal to two-thirds on the electoral votes of the states admitted, or claiming to be admitted, into the body, which was the number declared, by the convention itself, indispensable to his regular nomination. In saying this, we disclaim any intention or desire to obtrude our opinions of the electors of other states; we merely state the principle, leaving others to apply it or not, as they may deem fit and right. But for ourselves, we unhesitatingly declare that we recognize no authority in the Baltimore Convention to speak for us or for the democrats of the Union on any question, much less to bind us or them by any of its proceedings. We repudiate them all.

This just and most obvious conclusion might be further illustrated and enforced, both by general reasoning and by reference to numerous particulars connected with this case. But we forbear to enlarge a train of remark perhaps already too extended, since the letter of our distinguished candidate for the Presidency, which forms a part of our proceedings, and to which we take pleasure in referring, has placed the point in the sunlight of the clearest demonstration.

#### NEW-YORK COMPELLED TO NOMINATE —HER CANDIDATES AND THEIR PRINCIPLES.

In default of any nomination in which the democracy of this State had a voice, or which with any sense of honor and fidelity to principle, they could allow themselves to support, they have been compelled either to be excluded from any share in the most important of our popular elections, or to provide for their own interests, and the interests of their fellow citizens in other States, who concur in their opinions, by the nomination of candidates for the offices of President and Vice President of the United States. After a full comparison of views, and with special reference to what they know to be the wishes and will of their constituents, the members of this convention have unanimously nominated Martin Van Buren, of New-York, as a candidate for the office of President, and Henry Dodge, of Wisconsin, as a candidate for the office of Vice President.

It cannot be necessary to spend the time of our readers or of ourselves, in any lengthened exposition of the fitness of either of these candidates for the places for which they have been named. We have nominated them without their knowledge or assent —the first named, indeed, against his own wishes and his positive refusal to be a candidate—upon the principle that in this solemn and momentous crisis, the people have a right to demand, as their standard bearers, the most eminent and worthy of the public men who are true to the interests of freedom and the honor of the republic. How sincerely our candidate for the Presidency sympathizes with the popular sentiment on the great question of the day, has been made known in his own clear and convincing language, by the noble letter to the delegates from the city of New-York, which forms a part of our proceedings. The letter of Gen. Dodge to a member of the legislature of his State, on his recent election as Senator in Congress, expresses, also, with equal energy, his own uncompromising adhesion to the same cause.

It is in reference to this great and all absorbing issue that our candidates have been named. We, therefore, omit all special reference to other topics, and will barely remark, that while each of the candidates will, unquestionably, adhere to the great principles and rules of the democratic faith, as expounded in the inaugural address of Thomas Jefferson, and long and honorably illustrated by themselves, in their respective spheres of duty, we are persuaded that both will be ready to lend their co-operation, should they be elected to the places for which they have been nominated, to all wise and constitutional efforts to procure the reforms and to accomplish the measures enumerated.

rated in the resolutions accompanying this address. Especially, as we fully believe each may be relied on, to yield this co-operation in aid of that great interest already so important to the mighty and growing West, and which needs but to be fostered, in the way and to the extent clearly permitted by the Federal Constitution, to make our inland seas, and the States which lie upon them, the channels and the participator of an inland commerce hitherto unrivaled in extent and beneficence, in the history of mankind. Equally, too, will each unite with a patriotic Congress, in all practicable efforts to reduce the overshadowing patronage and to correct the abuses of the general government, which have now grown to such a height as to control and to corrupt the action of both the great political parties of the country, and to trample on the wishes, institutions and commands of the people.

#### CANDIDATES OF THE BALTIMORE AND PHILADELPHIA CONVENTIONS.

We shall discuss, with like brevity, the claims of the candidates nominated by the conventions held at Baltimore and Philadelphia—the former claiming to represent the democratic party, and the latter the whig party, of the Union. • In regard to the candidates of the Baltimore Convention, we have already alluded to the position in which they have been placed by the action of the convention; it is now necessary, more specifically to mention the position which one of them, at least, (the nominee for the Presidency) has assumed by his own acts and declarations.

In a letter addressed at the close of the last year, by Gen. Cass to Mr. Nicholson, of Tennessee, he gives, at length, his views on the free territory question. In this letter, after declaring that he is strongly impressed with the conviction, "that a great change has been going on in the public mind upon this subject, in his own, as well as in others"—the November election will show how far, and in what direction, any change has occurred in New-York—he proceeds to discuss the power of Congress to pass laws for the regulation of the internal policy and concerns of the territories; and while he admits their power to create territorial governments—a power which, whatever may be his faculties for change or doubt on the other points, he could scarcely be expected to question, since he held, for many years, the office of territorial governor of Michigan—he comes at length to the conclusion that it is, to say the least, exceedingly doubtful whether Congress, or the people of the territories, possess any power to exclude slavery therefrom; and he, therefore, holds it most consistent with the principles of the constitution, as well as most fit, for other reasons, to deny to both Congress and the people, any power over the subject.

The contrast between this letter, and the speech made by its author on the floor of the Senate, in March, 1847, in which he placed his objection chiefly, if not exclusively, on the ground that it was premature and inexpedient then to adopt it; and still more, with his declarations in the Senate and elsewhere in July, 1846, when the three million bill was before that body, is, certainly, quite noticeable and well calculated to satisfy the minds of others as well as of the distinguished nominee himself, that "a great change has indeed been going on in his own mind" on this momentous topic. It is, however, most unfortunate that this change should, from time to time, be more and more agreeable to the demands and the doctrines of the slave power. With every disposition to treat the matter fairly, we find it most difficult to resist the conclusion—and such, we apprehend, will be the judgment of the entire north, and of impartial history—that this change of opinion was greatly influenced, if not wholly effected, by the blinding and perverting influence of a too eager desire to secure the support of the slave power in a canvass for the Presidency.

At all events, Gen. Cass has presented himself before the American people as the advocate and patron of the slave interest. He stands pledged, by the letter referred to, and by many other acts, should he be elected to the chief magistracy of the Union, to veto any bill prohibiting the extension of slavery to the free territories of this Union.

The illustrious Captain who received from the whig Convention its nomination for the same high office, in addition to the many independent and spontaneous nominations with which he had been previously honored, has not favored the public with his opinions on this particular question, nor, indeed, except in the most general form, upon any question of public interest. Nor did the whig convention declare itself on this, or on any point of national policy, further than to show, by its proceedings, that it deemed political availability to be all, and the end of all, of party tactics. It is, however, also equally notorious, that the slave power by which the Baltimore Convention was con-

trolled, exercised the like malign influence over that assembled at Philadelphia; and it was through this influence, wielded by the southern delegates, acting in solid phalanx, that the veteran statesman of the West, eminent alike by his commanding talents and by the proud position, which, for twenty years he had occupied with his party, was so effectually overthrown. We are, therefore, obliged to regard General Taylor, as well as his competitor, General Cass, as equally the exponent and representative of an interest and power, which though acting in these instances, through different organisms, is yet, for all practical purposes in reference to the rights of the north, and the principles of freedom, now at stake, one and indivisible.

In this view of the case, we deem it of comparatively little moment to speak of other objections to either of these candidates; or to advert, at all, to the claims or qualifications of their respective associates—the candidates for the Vice-Presidency. Each of these latter, respectable and worthy as we admit him to be, is indissolubly united for the purposes of the canvass, with his leader, and each therefore, with him, must stand or fall. Of these leaders, whatever of panegyric may be indulged in by their admirers; whatever of animadversion, aside from their connection with the slave power, might be offered by us; we shall not stop to criticise the former, or to enforce the latter. The preservation of the free territories of this Union, to the freemen of the republic, is now the great duty, the first duty, of the American people. Whether the letters of Gen. Cass, concerning France, her Court and King, were such as any American, and especially such as an American minister should have written, with many other questions of greater moment concerning him; whether Gen. Taylor possesses any of the knowledge demanded in a President of the United States, or is wholly wanting in this regard; these, and all kindred topics, we purposely waive; because, however, it may be lamented, the ensuing canvass must necessarily turn on the question of slavery or freedom in the territories.

THE SLAVERY QUESTION—HOW AND BY WHOM CONNECTED WITH THE PRESIDENTIAL CANVASS.

Of the calumnies heaped on the democracy of New-York, none is more gratuitous or unfounded than the charge so often repeated, that the question of slavery in the territories was introduced by them, and for purposes of mischief, into the presidential canvass. With those who will attend to facts, and whose minds are open to conviction, this charge may be easily refuted. Let us briefly advert to them. In June, 1846, Mr. Wilmot, a distinguished member of the House of Representatives, from the State of Pennsylvania, offered to a bill then pending in that House, placing 3,000,000 dollars at the disposal of the President, to be used in negotiating a peace with Mexico and in the acquisition of territory, a proviso to the effect that there should be neither slavery nor involuntary servitude, except for crime, in any territory thereafter to be acquired by the United States; and this proviso was carried by a large majority, the representatives of the free states, without distinction of party, generally voting for it.

The bill having been lost in the Senate for want of time to act upon it, was renewed at the next session of the same Congress, commencing in December, 1846, when the proviso first offered by Mr. Wilmot, was renewed by a member from this State, one of the undersigned, and again passed by the House. In the Senate, the bill was amended by the striking out of the proviso, and in this amendment the House concurred. In the course of these several proceedings, the general subject of the extension of slavery to, or its exclusion from, the territories thereafter to be acquired by the United States, was more or less discussed; and in the mean time, ten States, of which New-York was one, through their Legislatures, instructed their Senators in Congress, and requested their representatives, to support, by their influence and votes, the principle of the proviso. But in none of these proceedings, so far as the democracy of New-York took part therein, (and the remark may be extended to the democracy of the entire North,) was there any reference whatever to the question of the Presidency, until after a disposition had been manifested by a leading Senator of the South—the oracle of the slave power, and the Coryphæus of its champions—not merely to mingle with that question his own extreme opinions, but to place them in the creed of the national democracy; and this, too, not among the non-essentials—not among the less important articles of faith—but in the front rank of cardinal truths—as the highest standard of duty—the very touchstone of political orthodoxy.

The promulgation of these views, in the quarter referred to, gave alarm, not merely

to the democracy of the North, but to considerate men at the South. The Nestor of the Senate openly denounced them, as heretical in principle, and destructive in their tendency; charged upon those who propounded and maintained them, the deliberate design of prescribing to candidates for the Presidency, a test which no Northern man, not recreant to the principles and interests of the North, could ever bring himself to adopt; and prophesied, if the scheme were persisted in, the division and ruin of the democratic party.

With their attention thus attracted to the subject, the democracy of the North, among whom the democracy of New-York, from the eminence of their position, and the power entrusted to them, are sometimes required to take the lead—could not fail to perceive, in many decisive forms, the working of the leaven thus insidiously introduced. Politicians and presses, who, on the first broaching of the question, had espoused with ardor the cause of freedom, and had denounced, as alike preposterous and wicked, the thought of making the flag of this Union, so gloriously identified with the triumphs of liberty throughout the world, the bearer of slavery into territories now free, began to waver in their course. Plausible objections were raised in Congress to any action on the subject in connection with the war. Supplies of men and money were needed for its prosecution; and it was, therefore, inexpedient and dangerous to enter upon a question which might embarrass or delay the granting of such supplies. Until its termination, it could not certainly be known what territory, or, indeed, whether any territory, would be acquired; and the whole discussion was, therefore, premature. By these and other like objections, Senators from the free States, and prominently among them one from New-York, who has since stood at the head of the spurious delegation, by which their State was so grossly misrepresented and dishonored at Baltimore; and another from Michigan, then an aspirant, and now a candidate for the Presidency, while professing to receive, and to honor, to love, and to obey, the doctrine of instructions, were enabled to stave off, for a more convenient season, the reluctant performance or the wilful violation of the duty enjoined by the instructions they had received; though at the epoch referred to, they were as yet, if their declarations could be trusted, firm friends of freedom and of free territory. In connection with these movements in the Senate, other Northern men in high places, whose names were more or less associated with the same object of ambition, were from time to time proclaiming their doubts as to the power of Congress to prohibit the extension of slavery to the territories, or their readiness to apply to the subject the line or the principle of the Missouri compromise. And to give to these movements their last and most alarming feature, the accredited organ of the national administration at the seat of government, announced what soon in a thousand ways became apparent to the most heedless, that to support the principle of the Wilmot Proviso was no recommendation to its confidence or favor.

In this untoward state of things—amid this increasing defection to the interests of freedom—the democracy of the state of New-York felt it their duty to intervene. They opposed themselves to the current, and if they could not wholly arrest, they yet stayed its progress. In their primary and other conventions—through the press—and in the various other forms in which, in this quarter of the Union, the masses are wont to make known their sentiments and wishes, the voice of the freemen of our State was lifted up, to warn, to encourage, and to rally the friends of freedom, the lovers of justice, the supporters of the constitution. Stified at Syracuse, it pealed in trumpet tones, at Herkimer and Utica, and has been since re-echoed from every hill top in the State. Yet in its loudest, its most exciting blasts, it has ever been the voice of conciliation, of harmony, of union. "We have not now, nor have we ever had," said the Utica Convention, "any desire to prescribe a test in the Presidential canvass, which might prevent a union of all who sanction the general principles of the democratic creed." In this spirit have all their acts and proceedings been conceived; and while they were resolved that by no act or omission of theirs should any man be nominated for the chief magistracy who either denied or doubted the power of Congress to prevent the inroad of slavery into the free territories of the Union; who had been on both sides of the Wilmot proviso; who favored the application to territories yet untouched by the blight of slavery, of the principle of the Missouri compromise; or who, by any other form of infidelity to the popular will, had disqualified, or might be expected to disqualify himself, from the support of Northern democrats, they were, at all times, prepared cordially to unite in the support of any sound and competent democrat, who was unwedded to any extreme opinion on either side—unstained by polluting bargains, and unfettered by the manacles imposed by

the slave power. Such was the ~~avowed~~, the notorious position of the democracy of New-York in reference to this most interesting matter. From this vantage ground of honorable independence and fraternal concession, they hear with serenity and composure the noisy accusations and the empty clamor by which they are assailed; conscious that by no act—no word of theirs—has this most delicate and dangerous question been unnecessarily mixed up with the Presidential canvass; feeling that, if blameworthy at all, it is not for acting or speaking too much or too soon, but for not acting and speaking sooner, and to more purpose; and assured that intelligent and fair-minded men will do justice to their conduct and their motives, they commit both, with unfaltering trust, to the scrutiny and judgment of the people.

In view of the facts to which we have referred, how unfounded, how unblushing, the accusation preferred by the advocates and apologists of the slave power against the democracy of the north, as if we had formed a sectional party, in defiance of the injunctions of Washington, and the plain dictates of patriotic duty! It is they, the leaders and managers of the slave interest, who have done this; it is to them that the indignant rebukes of the father of his country are justly applicable. Nor is it merely now that they have subjected themselves to this condemnation. The history of parties in the United States, is full of instances to show that while the north, and especially the democracy of the north, have been unwilling, except on grounds of the highest necessity, to array themselves on geographical or sectional grounds, in their party relations, the people of the south, whenever any matter touching or supposed to touch the slave interest, has arisen, have been ever ready to plant themselves in hostility, not only to their natural opponents, but to their political associates, in defence of their peculiar institutions. How much, from time to time, has been yielded by the north to this feeling, let impartial history declare. How little of gratitude or comity has been manifested by the south, all who are familiar with American politics have had abundant opportunities to know.

In regard to the soundness of the opinions entertained, and from time to time advanced by the democracy of New-York, as to the power of Congress over the subject in question, and the duty of exercising such power in behalf of freedom, we shall say but little—scarcely any thing, indeed, as to the first of those questions. In the address of the democratic members of the Legislature of New-York, issued in April last, an argument will be found on the question of constitutional power, in which every topic that belongs to it is discussed with an ability and candor befitting the importance and delicacy of the subject, and which, to him who seeks only for the truth, will furnish all the light that may be needed in his inquiries. To this argument, and to the brief but masterly exposition of the subject, in the letter of Mr. Van Buren to the delegates of the city of New-York, in this Convention, with satisfaction and pride we confidently refer, as establishing, beyond doubt or cavil, the authority of Congress to preserve from contamination the free soil and fair name of this republic.

A single word, we take leave to offer, in regard to a proposal, which, now that the north has become aroused to the subject, and the advocates of the slave interest perceive her to be in earnest, it is probable they will be ready to offer, or, at least, if offered, by the north, ready to accept. We allude to the repetition of the Missouri compromise. But, besides the insuperable objection that the establishment of slavery, by the action of the federal government, in a single square mile of free territory, makes every citizen of the United States a propagandist of slavery; there are many other objections of the gravest character, to any such step. The distinction between the case of New Mexico and California, and the case of Louisiana, is palpable and decisive. When we acquired Louisiana, slavery existed, actually in all the settled parts, in legal contemplation in every other part. The prohibition of slavery in that part of Louisiana, lying west of Missouri, and north of 36 deg. 30 min., was, therefore, an abolition of slavery in slave territory; the application of the like arrangement to New Mexico and California, would be abolition of freedom, and the establishment of slavery, in that part of those territories lying north of the line agreed on. We utterly deny the power of this government to perpetrate any such enormity. The battle of Bunker Hill was not fought to create a government with any such facilities. If exercised by Congress, it will never be submitted to.

It was said by the greatest of Roman orators, that he would rather err with Plato, than think rightly with the herd of inferior philosophers. We live in the beams of a clearer and purer system, which instructs us that the truth is ever to be received, no

matter from whom, or by what agency it may come. We cannot therefore say, that we had rather err with Mr. Jefferson and his associates, including the Father of his Country, than think rightly with the abstractionists and pro-slavery advocates of the present day. But when we compare the genius, philanthropy and patriotism of the former, with the narrow-minded, one idea sectionalism of the latter, we find in the contrast a strong confirmation of the soundness of the opinions we have espoused; and we not merely hold to them with the tenacity of assured conviction—we cling to them with the grasp of sympathy and love. Believing that Congress has the power to prohibit the establishment of slavery in the territories in question—convinced that this power should be exercised; and feeling, in our inmost hearts, that if through the sufferance, or by the act of Congress, slavery should be engrafted on the institutions of these territories, there would then be perpetrated the greatest crime, which, in the middle of the nineteenth century, a nation can commit, we pledge ourselves to each other, to our country, and to the world, that, however it may be with others, our skirts shall be clear of a guilt so enormous. Not for the fee simple of all the lands to which the question relates; not for the perpetual reversion of all the offices of the federal government—would we bring upon our souls the weight, or upon our posterity the curse, of any voluntary agency in the deed of shame.

#### THE ISSUE NOW BEFORE US.

From the experience of the past year, the events of the last month, and the discussion now going on at the federal capital, it is easy to see what is the issue which the democracy of the free States are now required to meet. It is neither more nor less than this: whether they will submit to be placed, by the slave power, and by those who act with and for it, under the ban, on account of opinions honestly entertained, and temperately expressed, as to the power and the duty of Congress to prohibit the intrusion of slavery into territories now free, and will consent to its establishment in such territories, by the action or inaction of the federal government; or whether they will resolutely persist in the assertion of these opinions, and in just and constitutional efforts to spread them abroad, and to render them triumphant.

The main question involved in this issue is, in many of its bearings, the greatest and most solemn which, since the formation of the government, has been presented to the American people. Though frequently referred to, and more or less debated, within the last two years, it has never yet received a thorough discussion; but the time has now come when it must be met. It can no longer be trifled with, evaded, or postponed. It is already upon us in the bill for the government of Oregon, above alluded to; it will be upon us in the bills for the government of New Mexico and California, which will soon demand the attention of Congress. From its very nature, and from the character of the people by whom it is ultimately to be decided, this question must necessarily become the great question of the day. In whatever point of view we may regard it, whether in its political, economical or social aspects, it is pregnant with consequences the most momentous—consequences vast as those portions of the globe to which it relates—lasting as the existence of the globe itself.

To exhibit, in their just relations, all the bearings of this great subject, would require a volume. We have time and space for only a few words. In saying them we shall, so far as possible, avoid every topic which might provoke irritation. We shall content ourselves with the bare announcement of a few of the most material points connected with the subject, when viewed in the most general of its aspects.

All experience has shown, and especially has it been demonstrated by the experience of our own country, that free labor and slave labor cannot usefully exist together on the same soil. The latter concentrated in masses, and wielded by capitalists, leaves little room to the free laborer for successful competition; and, what is infinitely more injurious, it degrades him in the eyes of the community, and in his own estimation. To this cause must be ascribed the contempt felt during the prevalence of the feudal system in Europe for laborers of all classes; the slight regard in which persons engaged in mechanical pursuits, even those of the greatest usefulness, were held, and the exclusive appropriation of those who lived on the labor of others, of all the respect, and most of the advantages, of society. In the cities and large towns of our slave states, the influence of commerce, of individuals from the north, and of other causes peculiar to this country, counteracts this tendency; but in the agricultural districts, where slave labor is extensively employed, it exists in such force that no free laborer will long en-

sure it who has the intelligence to understand, and the ability to escape from it. He will eagerly seize the first opportunity to emigrate to a free state, where he can gain, without disgrace, the just rewards of honest industry.

In like manner, and for the like reason, has the tide of emigration, which for more than half a century has been flowing westward from New England and from Europe, avoided the slave states. Besides largely contributing to fill up western New-York and some parts of Pennsylvania, it has created on the right bank of the Ohio three states, one of which, in population, is already third in the Union, and which, together, now contain near three millions of souls, and three others (Michigan, Wisconsin and Iowa), as yet of lesser note, but destined to rapid increase, in the North. In the meantime, western Virginia, Kentucky and Tennessee, equally fertile, and in some respects more favorably situated, the settlement of which was begun at an earlier day, and with superior advantages, contained, at the last census, a free white population of less than one million and a half. The condition of Europe, present and prospective, is likely to give to foreign immigration, for many years to come, increased activity. It will follow, for many years to come, the same law it has obeyed in the past. It will seek the soil of freedom; it will shun that in which slavery is, or is to be, established. If it have not free access to all quarters of the far west; if it be excluded, by the presence of slave labor, from any part of Oregon, New Mexico or California, it will seat itself in the free states, and free territories, there to compete with free labor, to the injury of itself as well as to them.

If it be said that the territories of New Mexico and California are too remote from the Atlantic seaboard, and too unfavorable in point of climate, to attract the emigrants to their distant and sultry regions, and will, therefore, receive no accession to their population from them; a moment's reflection will show the error and short-sightedness of the assumption. It is true that this vast class has generally avoided the southern and chosen the northern and middle states for its place of permanent establishment. But, besides the insurmountable obstacles which the existence of slavery in the south has set in the way of the free laborer, it must be remembered that the tide of immigration which has hitherto rolled in upon us has been exclusively derived from countries lying in latitudes parallel with, or even higher than those of the Canadas. The emigrants from the north of Europe, true to the law of climate and the instincts of nature, fix their abode in the temperate regions of the northern states. Large numbers from Norway, seeking in the country of their adoption the hardy and vigorous climate to which they have been accustomed in the father-land, have settled in our extreme northernmost districts in Wisconsin and Iowa.

In the mean time there has been little or no emigration from the south of Europe. The greater ignorance and degradation of its population has hindered them from the desire of exchanging the evils of their present state for the blessings of a free government. But had there been any such desire, there has been, as yet, no spot on the North American continent, to receive the emigrant from southern Europe. He is debarred from settling in the north by the same laws of climate and physical constitution which keep the German and the Irishman from the south: and from the south he has been excluded by a barrier no less formidable, planted, not by the hand of nature, but by the vices of society.

The present year has witnessed the emancipation of the European mind. The glorious work it is now accomplishing had its origin in part, and derives its power in great measure, from free impulses and movements in Italy, and will be as complete and beneficent in its results for the southern as for the northern states of Europe. There is every reason to believe that, thus enlightened with a just appreciation of the benefits of republican institutions, their overstocked population will relieve itself by vast emigration to this country. Especially will this be the case if our newly acquired territories in Mexico and California, with their warm and luxuriant climate, invite its entrance, unopposed by the presence of the degrading influences and associations of slavery, and, for the first, afford to the emigrant from the Mediterranean, a home as permanent and as happy as the free states of the north now do to those from the Baltic and the North Sea.

It is not then merely for ourselves, nor for our posterity, that we would preserve free the territories in question. We would keep them for the Caucasian race; we would anticipate the day when, from Maine to Northwestern Oregon and Southwestern California, the land shall be filled with the free descendants of this noble stock. Seeing what the ordinance of 1787 has done for the five states which, by it, have been kept for the free laborer;



seeing also the benefits which Iowa has derived from the abolition of slavery in the northern part of Louisiana, we would extend the benefits of this policy not merely to Oregon, but to the whole of our new acquisitions.

Our wishes, in this regard, are immeasurably strengthened, when we contemplate the evils which may result to our country, and to the world, by the further extension of the slave power in America. We speak not, now, of the unequal distribution of political power, further than to say, that in permitting it to be extended to Louisiana, Florida, and Texas, the whole north, and especially the northern democracy, by whose aid those territories were acquired, have carried the original compromise of the constitution, on this point, infinitely further than any of its framers ever expected or desired. We speak not of the incompatibility of domestic slavery as a permanent institution, even in the mitigated form in which it exists in our American states, with the highest developments of Christianity, as well as with the advancing progress of the democratic principle. We speak merely of the difference to us and to mankind between western America, settled exclusively by white freemen, and the same region given up, either wholly or in part, to a slave population.

Throughout the eastern and northern states, free labor has scattered broadcast the seeds of knowledge and of virtue. In the elder of these states, they have long since taken root, and have borne for ages abundant and useful harvests. As our population, from its natural increase, and enlarged by immigrations from abroad, has spread into the vast regions of the west, the free laborer has been its pioneer, and by his vigorous activity and self-denying toil, the wilderness has been made to blossom as a rose, and to smile in the light of a true civilization. Let us ever adhere to a policy so wise, so just, so philanthropic.

#### DUTY OF THE FREE STATES.

It is not to be disguised, that with many of our southern brethren, the sentiment is quite common, that the people of the free states are more anxious to enjoy the honors and emoluments of office than to maintain with dignity and spirit their equal rights. The south having enjoyed, almost exclusively, the control of the federal government from the date of its existence, it has been, for the most part, the exclusive dispenser of those honors and emoluments: and this, doubtless, has greatly contributed to this sentiment. If from these or any other causes the people of the free states have suffered in the estimation of the south, or of the world, the time has now come when they owe it to themselves, and to the nation, to redeem their character from this reproach. Both the late political parties have the opportunity to do, and are called upon to do this; they may unite in the effort without any abandonment of their distinctive principles. The old issues, which for the last twenty years have divided them, are now settled or set aside; a new issue has been presented, in which all minor differences—and in which differences that under other circumstances would be important—are merged and swallowed up.

It is important, too, that this effort should now be made, and that, if possible, it should be made to succeed. Resist the beginning, is the maxim of political not less than of moral science. This is the first time since the formation of the government, that the slave power, while retaining its distinct political associations with the two great national parties, has been able to seize and to sway the sceptres of both. If the people of the free states understand and perform their duty, such an exhibition will never again be witnessed.

#### DUTY OF NEW-YORK.

Another question involved in this issue, as presented to the democracy of New-York, though personal to them, is scarcely less important. No one who is cowardly, time-serving, or timid, can be respected by his fellow-men. In proportion as he fails in manly independence, will he be visited with universal disesteem and contempt. What is true of individuals, is true of the masses. The community which has not spirit enough to maintain its rights of opinion, of utterance, and of action—which can give up, at the dictation of others, its convictions of truth and duty; which can now be coaxed or now driven into the abandonment of principles; which can sacrifice to a present expediency the interests of the future, and sell its birthright for a mess of pottage—such a community may, indeed, prosper for a season in the pursuits of traffic, or the scramble for patronage; but its infidelity to the cause of truth, and the sentiment of honor, will soon be followed by a just and terrible retribution. When it wins for itself

the name of a people, without self-respect, how can it command the respect of other states? Of what value is national wealth, without national honor? Of what avail to Egypt was the fertility of its soil, or the magnificence of its monuments, when once, by its effeminacy and its vices, it had prepared itself for the fearful doom by which it had been written down as "the basest of the kingdoms?"

The duty of New-York in the present crisis is, therefore, plain and imperative. Independently of the interest common to them with others, the democracy of our state are summoned, by special motives, to take the lead in determined and uncompromising hostility to the demands and the measures of the slave power. It has insolently sported with our rights, traduced our fame, and wounded our honor. This, of itself, should be sufficient cause for resistance; for in the language, no less just than beautiful in its application to the public honor, of the greatest of poets—

"Rightly to be great,  
Is not to stir without great argument,  
But greatly to find quarrel in a straw,  
When honor's at the stake."

It was in this temper, that the sages and patriots of our country's heroic age, periled life and all life's blessings in the revolutionary conflict. It was not merely the taxes imposed by a body in which they were not represented, against which they rebelled. To the injury inflicted by British laws, there was added the insulting pretension incorporated in them, that the parliament had the right to bind the colonies in all cases whatsoever. So long as this averment continued in the record, no modification or repeal of the obnoxious taxes could satisfy the free spirit of our ancestors. We should be unworthy of such a lineage—we should be unfit to dwell within a State distinguished above others, by its early and constant adhesion to the principles of democratic liberty; a State, which furnished in the persons of Leisler and Melbourne, the first martyrs of this continent, to the cause of freedom—a State, which boasts among its sons of its Clintons, its Jay, its Livingstons, its Tompkins—a State which contains the ashes of Montgomery, the monument of Emmet, and the grave of Lawrence—a State which for their whole active lives, was the abode of Alexander Hamilton and of Silas Wright—we should dishonor its soil and bring reproach upon its name, were we so lost to virtue and to manly thought, as tamely to receive from the hands of our insulters the yoke they had prepared for ourselves and our posterity.

In the throes and spasms with which the slave power labors to perpetuate its ascendancy, nothing is more common than the threat to dissolve or depart from the Union, unless the free states yield to its demands. Such threats will produce no effect on the democracy of New-York. Not that we do not love the Union;—not that we should not shudder at the possibility of its dissolution. We prize it as above all price. We have never attempted, we will not be provoked, to calculate its value. We shall never enter on so chimerical, so unpatriotic a task. No arithmetic known to us, is adequate to reckon up the worth of even a thousandth part of the golden chain which binds together, in perpetual bonds, the states of this confederacy.

But when we listen to the vainglorious boastings, the splenetic ebullitions of the hot-headed and hot-blooded leaders, who assume to speak for the entire south, in many cases, doubtless, with just as much authority as they assume to dictate to the north; we are sometimes compelled to ask ourselves, what would be the north—what, especially, would be New-York, if the folly and madness of the southern slave power should really break up this ancient and long-cherished union of the states?

New-York, with a territory possessing boundless advantages for foreign and internal trade; with a temperate and healthful sky, and with extensive districts of fertile soils; with abundant supplies of salt and iron, and peculiar facilities of every kind of manufacturing industry; with a population greater now than that of England at the era of American colonization, and which may well be increased within her borders four times its present number; with several marts of internal trade, numbering, respectively, from twenty to fifty thousand inhabitants; and, towering above them all in queenly pride, the commercial metropolis of this hemisphere; with a foreign commerce that brings to the federal government more than one-third of its revenue by imposts; with these resources in possession and in prospect, what shall hinder her, if the nullifiers of the constitution and the abolitionists of freedom—the blind leaders of the blind—shall by accident or design, drive on their followers to the sin and folly of secession, from being and remaining the chief of the new republics, into which the American States will then be parceled out?

But New-York has no such false ambition. She will never "shoot madly from the sphere" in which faith and duty bind her. She is content to move in the orbit they have marked. She pauses not to inquire whether she receives as much as she bestows; still less to ask whether she might shine more brightly in a pathway of her own. In love and loyalty to the Union she finds her purest joy—a joy which she would not exchange for the gratification of a selfish aggrandizement, or the spoils of victory, poorly purchased with the sacrifice of principle. However adverse may be the signs, however unpropitious the omens, she will cling for ever to the Union; nor will she abandon the hope that reason will, ere long, resume her sway, and justice assert her power in the minds of her sisters of the south. When this consummation, so devoutly to be wished for, shall have come, our southern brethren, we are sure, will again delight to tread with us the path of civic duty and of honorable fame. In the interval, be it long or be it short, the people of New-York will quit themselves like men; for in so doing they will not only best preserve their interests and their honor, but best secure the respect of their adversaries. They will act worthy of those who fell, under the eye of Washington, on the heights of Long Island—of those who conquered with Gates and Schuyler, on the plains of Saratoga.

## CHAPTER VI.

BUFFALO CONVENTION—NOMINATION OF MARTIN VAN BUREN AND CHARLES FRANCIS ADAMS—LETTERS OF THE COMMITTEE AND OF THE NOMINEES—MOVEMENTS IN CONGRESS—SPEECHES OF JOHN A. DIX AND DANIEL WEBSTER—THE THREE CANDIDATES—OUR DUTY IN THE ISSUE.

The nomination of a statesman so able and experienced as Martin Van Buren, by the Utica Convention of June, 1848, was hailed with the utmost enthusiasm by all the free states. Thousands of all political parties, who had deeply sympathized with and heartily approved the sentiments of his decided and patriotic letter, on the annexation of Texas, in 1844, saw in this nomination a bright omen of success for the great principle of free soil. It had been made by acclamation, and with an enthusiasm which entirely set aside the usual formality of proceedings. It had been made in view of the utter abandonment of all the distinctive principles in the creeds of the heretofore two leading parties of the country, for the mere principle of availability or balance of power, by the Conventions of Baltimore and Philadelphia. The moral sentiment of the North and West was left without a representative. The political elements of the nation had been thrown into perfect chaos. The storm had wrapt the political horizon in an almost impenetrable night. Not only before but after this nomination, mass meetings composed of men of the highest standing, without distinction of party, were held in every direction, loudly and boldly to raise their voices against the extension of slavery, and to suggest a more extended organization upon the great principles of truth and equity. In compliance with these calls, all of the free, and three of the slave, or eighteen states of the Union, assembled by their delegates in a national free soil Convention at Buffalo, New-York, on the 9th of August last, to nominate a President and Vice President of the United States. The states represented, were Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New-York, New Jersey, Pennsylvania, Ohio, Michigan, Wisconsin, Illinois, Indiana, Iowa, Delaware, Maryland, Virginia, and the District of Columbia. The Convention was organized at 12 o'clock.

## FIRST DAY—EVENING SESSION.

Prayer by Rev. Mr. Tucker of Buffalo.

The officers of the Convention were Charles Francis Adams, of Boston, President, nineteen Vice Presidents, and seven Secretaries.

A committee of fifty-five,—Hon. B. F. Butler, Chairman,—was appointed to prepare resolutions.

Such a spectacle as this Convention presented, had never before been witnessed, in the whole history of this government. Forty thousand men of every political order and religious sect, combining more intellectual and moral power than was ever gathered in a political mass meeting, were here assembled and acting with the most marked decorum and harmony; its whole heart warmed and quickened to the highest degree of enthusiasm by the great principles of '76 and '87—those vital, ever-living principles of the freedom of man in opposition to *all* oppression, which, in all future history, will shed a holy lustre on "the purer and better days of this republic." More than half of this body were men loving and professing Christianity. All its sessions were opened with prayer, and at an early hour of each day, thousands gathered together specially to ask the Divine blessing on its deliberations.

Mr. Adams, on taking the chair, delivered a pointed and eloquent address, in exposition of the nature of the Wilmot Proviso, and the position of the vast assembly before him, under the necessity of renouncing all the old party organizations, and now ready, with a generous concession of important differences, to form a new one on which all could stand, and unitedly go forward in the bold defence of a great and solemn principle.

Eloquent speeches followed, by Mr. Giddings, of Ohio, and Messrs. Culver and B. F. Butler, of New-York. These addresses though impromptu, were pointed, able, and soul-stirring efforts.

A committee of four hundred and sixty-six conferees were then appointed to select candidates, and the Convention adjourned.

## SECOND DAY.

Prayer by the Rev. S. J. W. May, of Syracuse, N. Y.

Spirited addresses were made in succession by Messrs. Briggs, of Ohio; Cummings, of Massachusetts; Berkshire, of Virginia; Headley, of Pennsylvania; Wilson, of Michigan; Sedgewick, and Judge Nye, of New-York.

A sub-committee of seven had been in session the previous evening, and the whole body of the committee on resolutions were in session from 9 to 12 o'clock noon. At that hour, the chairman, Mr. Butler, of New-York, came into the Convention, and after prefatory remarks, showing the harmony and noble spirit which marked its doings, read the *unanimous* report of the *entire* committee, as a *Platform* of principles. It was received and unanimously adopted with great cheering.

## THE PLATFORM.

*Whereas*, We have assembled in Convention, as a union of freemen, for the sake of freedom, forgetting all past political differences in a common resolve to maintain the rights of free labor against the aggressions of the slave power, and to secure free soil for a free people:

*And whereas*, The political Conventions recently assembled at Baltimore and Philadelphia, the one stifling the voice of a great constituency entitled to be heard in its de-

liberations, and the other abandoning its distinctive principles for mere availability, have dissolved the national party organizations heretofore existing by nominating for the Chief Magistracy of the United States, under slave-holding dictation, candidates neither of whom can be supported by the opponents of slavery extension without a sacrifice of consistency, duty, and self-respect :

*And whereas*, These nominations, so made, furnish the occasion, and demonstrate the necessity of the union of the people under the banner of free democracy, in a solemn and formal declaration of their independence of the slave power, and of their fixed determination to rescue the Federal Government from its control :

*Resolved, therefore*, That we, the people here assembled, remembering the example of our fathers in the days of the first Declaration of Independence, putting our trust in God for the triumph of our cause, and invoking His guidance in our endeavors to advance it, do now plant ourselves upon the National Platform of Freedom, in opposition to the Sectional Platform of Slavery.

*Resolved*, That slavery in the several States of this Union which recognize its existence, depends upon State laws alone, which cannot be repealed or modified by the Federal Government, and for which laws that Government is not responsible. We therefore propose no interference by Congress with slavery within the limits of any State.

*Resolved*, That the proviso of Jefferson, to prohibit the existence of slavery, after 1800, in all the territories of the United States, Southern and Northern ; the votes of six States and sixteen delegates, in the Congress of 1784, for the proviso, to three States and seven delegates against it ; the actual exclusion of slavery from the Northwestern territory, by the ordinance of 1787, unanimously adopted by the States in Congress ; and the entire history of that period, clearly show that it was the settled policy of the nation, not to extend, nationalize, or encourage, but to limit, localize, and discourage, slavery ; and to this policy, which should never have been departed from, the Government ought to return.

*Resolved*, That our Fathers ordained the Constitution of the United States, in order, among other great national objects, to establish justice, promote the general welfare, and secure the blessings of Liberty ; but expressly denied to the Federal Government, which they created, all constitutional power to deprive any person of life, liberty, or property, without due legal process.

*Resolved*, That in the judgment of this Convention, Congress has no more power to make a slave than to make a king : no more power to institute or establish slavery than to institute or establish a monarchy : no such power can be found among those specifically conferred by the constitution or derived by just implication from them.

*Resolved*, That it is the duty of the federal government to relieve itself from all responsibility for the existence or continuance of slavery wherever that government possesses constitutional authority to legislate on that subject, and is thus responsible for its existence.

*Resolved*, That the true, and in the judgment of this Convention, the only safe means of preventing the extension of slavery into territory now free, is to prohibit its existence in all such territory by an act of Congress.

*Resolved*, That we accept the issue which the slave power has forced upon us, and to their demand for more slave states, and more slave territories, our calm but final answer is, no more slave states and no slave territory. Let the soil of our extensive domains be ever kept free, for the hardy pioneers of our own land, and the oppressed and banished of other lands, seeking homes of comfort and fields of enterprise in the new world.

*Resolved*, That the bill lately reported by the committee of eight in the Senate of the United States, was no compromise, but an absolute surrender of the rights of the non-slaveholders of all the States ; and while we rejoice to know, that, a measure which, while opening the door for the introduction of slavery into territories now free, would also have opened the door to litigation and strife among the future inhabitants thereof to the ruin of their peace and prosperity, was defeated in the House of Representatives, its passage, in hot-haste, by a majority, embracing several Senators, who voted in open violation of the known will of their constituents, should warn the people to see to it, that their representatives be not suffered to betray them — There must be no more compromises with slavery ; if made they must be repealed.

*Resolved*, That we demand freedom and established institutions for our brethren in Oregon, now exposed to hardships, peril and massacre, by the reckless hostility of the

slave power to the establishment of free government for free territories, and not only for them, but for our new brethren in California and New Mexico.

And whereas, it is due, not only to this occasion, but to the whole people of the United States, that we should also declare ourselves on certain other questions of national policy, therefore

*Resolved*, That we demand cheap postage for the people; a retrenchment of the expenses and patronage of the Federal Government; the abolition of all unnecessary offices and salaries; and the election by the people of all civil officers in the service of the Government, so far as the same may be practicable.

*Resolved*, That River and Harbor improvements, whenever demanded by the safety or convenience of commerce with foreign nations, or among the several states, are objects of national concern; and that it is the duty of Congress, in the exercise of its constitutional power, to provide therefor.

*Resolved*, That the free grant to actual settlers, in consideration of the expenses they incur in making settlements in the wilderness, which are usually fully equal to their actual cost, and of the public benefits resulting therefrom, of reasonable portions of the public lands, under suitable limitations, is a wise and just measure of public policy, which will promote, in various ways, the interests of all the states of this Union; and we therefore recommend it to the favorable judgment of the American people.

*Resolved*, That the obligations of honor and patriotism require the earliest practicable payment of the national debt; and we are therefore in favor of such a tariff of duties as will raise revenue adequate to defray the necessary expenses of the federal government, and to pay annual installments of our debt and the interest thereon.

*Resolved*, That we inscribe on our banner "free soil, free speech, free labor, and free men," and under it will fight on, and fight ever, until a triumphant victory shall reward our exertions.

The adoption of this platform was followed by speeches from President Mahan, Messrs. Briggs, Sutcliffe, and Gillett, of Ohio, Miller of Michigan, Payne of Wisconsin, Peck of Connecticut, Rev. J. W. May of New-York, and others.

At the Evening Session speaking was continued with unabated interest and power, by Messrs. Davis, of Buffalo, Bird, of Massachusetts, Brinckerhoff, of Ohio, and Doolittle, of New-York. The able speech of the latter was cut short by the arrival of the Committee of Conferees. The Sessions of this Committee had excited deep interest. At its first session on Wednesday evening, S. P. Chase, Esq., of Ohio, was appointed Chairman. After disposing of some preliminary questions, the Committee resolved to select no candidate, until the platform of the Convention should be reported. Its second session commenced on Thursday, P. M., and continued four hours. After a resolution to proceed to an open nomination for President, Mr. Butler, in reply to a call of the Committee, stated Mr. Van Buren's position in regard to the action of the Convention, and the position of the true Democracy of New-York towards him as the Nominee of the Utica Convention. A letter from Mr. Van Buren was read in committee, which elicited great applause. The first vote gave Mr. Van Buren a handsome majority over all others. His unanimous nomination was then moved and adopted by acclamation, being supported by Messrs. Leavitt, of Mass., and Lewis, of Ohio, in speeches of great force and eloquence, and the Committee adjourned to tea. In the evening, after some consultation, on motion of the conferees from Ohio, Charles F. Adams was nominated Vice President by acclamation.

Mr. Chase, therefore, on behalf of the Conferees, announced the unanimous selection of MARTIN VAN BUREN and CHARLES FRANCIS ADAMS as the candidates of the Convention for President and Vice President of the United States.

This announcement was received with a round of enthusiastic cheers which well nigh exhausted the lungs of the audience.

Hon. Joseph L. White, of New-York, Mr. Lewis, of Ohio, and Hon. Stephen C.

Philips, of Salem, continued the speaking till twelve o'clock, midnight. In closing, Mr White alluded to his attachment to Henry Clay, and said:—

Next to this man now stands him whom I have fought from my earliest youth. That man is MARTIN VAN BUREN. (Tremendous cheers.) When I saw this man that I had formerly believed to be timid, cautious and calculating; this man enjoying the universal confidence and affection of the great Democratic party, willing to sacrifice all this personal regard and forfeit all this public confidence and esteem, and plant himself upon the spot where Freedom dwelt, and bid defiance to the South; it was a sublime spectacle—it was the poetry of politics—it was the religion of patriotism. (Applause.)

When I saw it, then and there, on that occasion did I surrender up all personal prejudices against that man. (Applause.) I say, fellow citizens, that a man like this deserves the favor, the support, the honorable mention of every lover of liberty in this and other lands. (Yes, yes, he does.) And that we may be able hereafter to reward him with the office to which we are all striving to elevate him, shall ever be the effort, as it now is the prayer, of him who addresses you.

D. D. Field, Esq., then read to the Convention the letter of Mr. Van Buren, received in the Committee of Conferees, explaining his position in reference to the Utica Convention as one into which he had been forced out of regard to friends who deemed the use of his name important in their opposition to the extension of slavery to the free territories of the United States. This letter closed as follows:—

It may happen, in the course of the deliberations of the convention, that you will become satisfied that the great end of your proceedings can, in your opinion, be best promoted by an abandonment of the Utica nomination. You will not, in that event, want assurances of my uniform desire never again to be a candidate for the Presidency, or for any other public office; but you may apprehend that it might not be agreeable to me to be superseded in the nomination after what has taken place in regard to it. It is upon this point that I desire to protect you against the slightest embarrassment, by assuring you, as I very sincerely and cheerfully do, that, so far from experiencing any mortification from such a result, it would become most satisfactory to my feelings and wishes.

Wishing the convention success and honor in its patriotic efforts, and begging you to accept for yourselves assurances of my unfeigned respect, I am, very sincerely, your friend and servant,

M. VAN BUREN.

The convention then adjourned *sine die*, and the vast concourse formed into a procession and marched through the principal streets. Thus ended a meeting unsurpassed in its object, its harmony and spirit, since the congresses of '74 and '76.

The following correspondence, by the Committee appointed to inform the nominees and to request their acceptance, has peculiar interest. The brief letter to Mr. Adams is omitted. The letter of the Committee fully sanctions the tone of the preceding account of this body.

*New-York, August 16th, 1848.*

HON. MARTIN VAN BUREN, *Lindenwald, New-York.*

Sir:—As a committee of the National Free Soil Convention, lately held at Buffalo, for the purpose of nominating candidates for the offices of President and Vice President of the United States, we have the honor to apprise you of your nomination, by the Convention, for the first of these offices, and to solicit your acceptance thereof.

The causes which led to the assembling of this Convention are known to you as matters of public history; but no one not personally present, can form an adequate conception of its character, still less of the unanimity and enthusiasm which distinguished its proceedings.

All the free states, three of the slaveholding states, and the District of Columbia, were represented. In some cases the delegates from a single state amounted to several thousands; the whole number in attendance was variously estimated at from twenty to forty thousand, or even more.

Individually the members represented different, and in many cases, antagonistic interests and opinions. Many had for years belonged to the Democratic or Whig parties; a large portion was identified with a third party, having already candidates for President and Vice President in nomination, while smaller bodies were the exponents of principles maintained by other organizations. In a word, the diversified and conflicting opinions on political subjects, held by such of our people as have rejected the nominations of the late Baltimore and Philadelphia Conventions, were, more or less numerously, represented in this vast assemblage, by persons living, in many cases, thousands of miles apart, but now brought together by sympathy in one sentiment, and by union in one resolve—opposition to the further extension of Human Slavery, and the determination to preserve for the freemen of this and other lands the free territories of the United States.

Notwithstanding the tendency to disorder, inherent in a body so multitudinous and peculiar, its proceedings were marked by the utmost order, decorum, and solemnity. Its unanimity in the selection of candidates was equally remarkable. Upon an informal vote in the nominating committee, you received a majority of all the votes, whereupon you were nominated unanimously and by acclamation. The candidate for Vice President was selected in like manner, without the formality of a previous vote. Both nominations were confirmed by the Mass Convention, unanimously, and with the greatest enthusiasm.

The Convention also effected, what, but for its accomplishment, might justly have been deemed still more impracticable—the settlement of a platform of principles, including, besides the great question on which its members were agreed, kindred questions of much importance and difficulty, on which there existed serious diversity of sentiment, and embracing also every other subject of national interest likely to come before the country during the next four years.

The duty of entering upon such a work, was forced on us by the obvious reflection, that in administering the Federal Government, these various questions must necessarily be met; and it seemed due to our fellow-citizens, as well as necessary to our own action, that the sense of the Convention should, if possible, be collected and expressed thereon.

Contrary, almost as much to our hopes as to our fears, a platform, of which a copy is herewith communicated, was proposed and reported, without a dissenting voice, by a committee fairly representing the whole body, and was afterwards, with like unanimity, and with the strongest tokens of approbation, ratified by the Mass Convention.

From the nature of some of the topics embraced in this paper, as well as from the composition of the Convention, it will readily occur to you, that the unanimity with which it was adopted, was due to the spirit of union and harmony which pervaded every bosom, and which induced all classes to avoid the assertion of extreme opinions, and to make to each other every allowable concession, necessary to a vigorous co-operation in the great purpose for which we had assembled. Persuaded that the document will be considered by you, in the same spirit, we trust that, in like manner, it will secure your approval; and that it will, therefore, be agreeable to your personal feelings, and to your sense of public duty, to yield to the wishes of the Convention.

With yourself and your associate as their standard bearers, the Free Democracy of the North and of the South, of the East and of the West, strong in the justice of their cause, and unterrified by opposing influences, will rush forward in the path of duty, assured that their candidates will receive such a support from the wise and the good, from the patriots and philanthropists of our country, as forever to protect the free soil of the Republic from the calamity and the curse of human bondage.

Asking a reply at your earliest convenience, we are,

With high respect and esteem,

Your obedient servants,

B. F. BUTLER,  
J. L. WHITE,  
S. P. CHASE.

LINDENWALD, August 22d, 1848.

GENTLEMEN,—I have had the honor to receive your letter, giving me official information of the proceedings of the Buffalo Convention. The composition, character, and proceedings of that body, as described by you, and the concessions of feeling, and to



some extent, of opinions also, on the part of its members, which enabled them to unite their exertions upon a common, and to the country, a vitally important question, show it to have been governed by a pure and lofty patriotism, and demand from me a grateful acknowledgment, for the expression of confidence you have communicated.

My position, in regard to the Presidential election, is a peculiar one; and it is due to me, that the knowledge of it should be co-extensive with that of every material step I take in the canvass. In 1844 I announced my determination to continue in retirement for the rest of my life; and my earnest desire to do so has been undiminished and invariable from that moment to the present. I declined, respectfully but explicitly, numerous offers from friends in other States to promote my nomination at the late Baltimore Convention; and in the same spirit refused permission to the New-York delegation to present my name to that body, under any circumstances whatsoever.

This refusal would have been equally decisive, if it had been certain that they would have had it in their power to carry their friendly wishes into effect. The New-York delegation to the Utica Convention requested my opinions in regard to the obligations imposed upon them by the Baltimore nominations, and the constitutionality and expediency of a prohibition, by Congress, of the introduction of slavery into territories now free from it. They also asked my consent to the use of my name, by the Convention, as its candidate for the Presidency. I cheerfully gave them the opinions they desired, but declined the last request absolutely. That they sincerely desired to respect my wishes in this regard, I have never doubted. But the Convention were of opinion that the use of my name was necessary, as well to enable the democracy of New-York to carry forward, with a reasonable prospect of ultimate success, the great principle for which they contended, as to sustain themselves in the extraordinary position to which they had been driven, by the injustice of others; and that the relations which had so long existed between us, gave them a right so to use it, not only without my consent, but against my known wishes. Entertaining these views, they decided to nominate me, and omitted to give me the usual notice of their proceedings.

The reasons why I did not feel myself at liberty to interpose any further obstacles to their wishes, have been given to the public, and need not be repeated.

It is in this form that my name, as a candidate for the Presidency, has been brought before the people. Occupying this position, I shall feel myself honored by the support of an assemblage so enlightened and patriotic, and so devoted to the maintenance of the great principle we contend for, as that in whose behalf you have addressed me.

I have examined and considered the platform adopted by the Buffalo Convention, as defining the political creed of the "Free Democracy," with the attention due to the grave subjects which it embraces, and the interesting circumstances under which it is presented. It breathes the right spirit, and presents a political chart which, with the explanations I am about to make, I can, in good faith, adopt and sustain.

In regard to the chief topic of the resolutions, it is not to be doubted that the present unprecedented movement of the public mind in the non-slaveholding States, upon the subject of slavery, is caused mainly by an earnest desire to uphold and enforce the policy in regard to it, established by the founders of the Republic. That policy, in addition to the prospective prohibition of the foreign slave trade, was—

1st. Adequate, efficient, and certain security against the extension of slavery into territories where it did not practically exist.

2d. That, in the language of your own condensed and excellent resolution, "Slavery, in the several States of this Union which recognize its existence, should depend upon State laws, which cannot be repealed or modified by the Federal Government;" and—

3d. A spirit of considerate forbearance towards the institution, in localities where it was placed under the control of Congress.

By a wise observance of this policy, we have, until recently, been enabled to neutralize the injurious tendencies of an element of discord, more difficult to deal with than any to which our free institutions are exposed. But unhappily for the present harmony, and possibly for the future welfare, of our beloved country, a pretension has been recently set up by our brethren of the slave-holding States, in regard to the first branch of this policy, so inadmissible upon principle, and so revolting to our feelings, as to produce a rush of public sentiment towards the point of resistance, which, with a population so considerate and so staid as ours, is never seen, except when a conviction exists that the honor and safety of the country are at stake, and then, always. A train of occurrences, all tending to the same general end, which have, for a few years past, followed each

other in rapid succession, has raised this feeling to an elevation hitherto unknown, and produced resolves which it is not in the power of individuals to induce the people to recede from. The constitutionality, the justice, the humanity, and the expediency of the ground they have taken, are all so clear as to preclude the possibility of a continued diversity of opinion or action in the non-slaveholding States.

The consequences that may result from this conflict of opinion between us and those who are, unhappily, our opponents—if their pretensions are persisted in—are known only to that omniscient and kind Providence which has hitherto protected our country and its institutions from the dangers which have threatened them.

The claim set up by our Southern brethren, is a departure from the platform raised by our common ancestors, at a period when the chain of our Union was the brightest, and the fraternal feeling between the States that composed it the strongest. It comes upon the back of a series of events, well calculated to awaken at the North, that deep, and, as it respects ourselves, overwhelming sensation in the public mind, to which I have referred. A brief review of them, at a moment so critical, cannot fail to be useful.

The future condition of the respective states, in regard to the probable continuance or abolition of slavery, was correctly foreseen at the formation of the government. Those of the old thirteen which are now exempt from it, acted under a confident anticipation that they would soon become so; while those of the number where slavery still exists, could not look forward to an equally favorable result in regard to themselves. It was, therefore, well understood at the adoption of the Constitution, that although a large and highly respectable portion of the members of the confederacy would probably for a long, certainly for an indefinite period, remain slaveholding states, a majority of the states would be non-slaveholding; and that a constitutional preponderance in the federal government would be thus secured to the latter.

To make assurance of this result doubly sure, the slaveholding states themselves were prominently active in a measure—the ordinance of 1787—by which six new states were first designed to be, and five actually were, arrayed on the same side. These added to the seven in which slavery had been, or was expected to be, abolished, would make the division in this regard, twelve to six. The evidence we possess of the circumstances and dispositions of the times, warrants us in assuming that no one, at that day, anticipated that this difference in the respective conditions of the states, in regard to slavery, would ever be overcome or neutralized, by the accession to the confederacy, of new slaveholding states. Yet, in the brief period which has elapsed—we may well say brief, when viewed in connection with such great results—we have witnessed the addition of nine slaveholding, and only three non-slaveholding states to the confederacy, beyond those which were provided for before the adoption of the Constitution, making them to stand fifteen to fifteen. The preponderance originally secured to the non-slaveholding states, and with the knowledge of which they assisted in investing the institution of slavery in the states, with the privileges and guarantees of the Constitution, has thus been annihilated. These facts cannot be controverted or concealed, and when once fully understood and appreciated by the people of the non-slaveholding states, they must have a controlling influence over their future course. The emotions they have already excited, ought not to surprise intelligent and ingenuous minds in any quarter.

But this is not the only, nor even the most repulsive view which we are compelled to take of the present pretensions of our brethren of the slaveholding states. Slavery is now presented in a livery which it never wore before. On every previous occasion when there has been a conflict of opinion in regard to it, the question has only been, how far the policy of 1787 should be carried out by prohibiting or restricting the extension of slavery in territory which was, at the time, subject to its introduction. Most of the territory of the United States, which was thus situated, save the state of Iowa, which was excepted by the Missouri Compromise, has been converted into slave states, and admitted into the Union as such. Now, for the first time, the attempt is made, to permit the introduction of slavery into territories which are now free from it—territories from which it was expelled, within the last fifteen or twenty years, by the express and solemn act of their former government and people—a government and people with whom in respect to the attributes of freedom, ours could not brook a comparison.

Nor is this its only or its worst feature. In annexing to our Union Texas, an extensive slave state, covering an area capable of being formed into many more such states, we became involved in a war with Mexico, which claimed continued dominion

over that state. The territories in regard to which the question is now made, are among the conquests of this war. It is, therefore, in effect, whatever may have been the original objects of the war, an appeal to the inhabitants of the non-slaveholding states, to sanction the extension, through our instrumentality, of slavery into territories, which the United States have, in fact, acquired by the sword, but which others had relieved from that great evil. Such a proposition need only to be stated, to ensure its prompt rejection by the non-slaveholding states.

Upon what grounds is it attempted to sustain a principle so repugnant to our feelings, so destructive, in our view, to our national character, and so well calculated, if successful, to cloud the glory of this great Republic? That there should be diversities of opinion and feeling upon the subject of slavery between us and our southern brethren, is certainly natural.

The strength of northern aversion to the institution has been recently very truly stated on the floor of the Senate, by a very distinguished southern statesman. The people of the north could not overcome this aversion, if they would; and they cannot desire to do so, because they religiously believe that the highest earthly interests of man are based on its permanency and ultimate universality. At the south the feeling is very different, because the culture of their minds and dispositions, and the force of habit have had an opposite tendency. This known, and for a season, at least, incurable diversity of opinion and feeling should beget a spirit of conciliation, and inculcate mutual forbearance in speech and action. This duty has doubtless been occasionally lost sight of, on both sides; but it cannot be denied that the departure from it has been greatest on the part of our southern brethren.

No one will venture to insist that it is, at this day, either expedient or right to originate slavery in territories that are free from it, if it can be properly prevented. But it is insisted that this cannot be done in the case under consideration, and in the form proposed. First, because the constitution does not give Congress the power to prohibit slavery in the territories; and that, consequently, the great number of acts for that purpose which have been passed for the last sixty years, with general assent, were but so many infractions of the constitution.

All will remember the solemnity and rapidity with which state after state, at the south, in succession, announced this doctrine, and the acrimonious vehemence with which their conventions denounced political proscriptions, in the form of exclusion from the offices of President and Vice-President, of all who refused to adopt it. But it is already apparent that differences of opinion upon this important subject cannot be settled by vehement assumptions, nor conciliation, in regard to it, promoted by denunciation. In our country such difficulties must be solved by appeals to the tests provided by the constitution. For the rectitude of our motives, and the correctness of our conduct, we are responsible, on earth, to the opinion of the civilized world, and hereafter to a power that is greater and wiser than all.

The question of constitutionality, the gravest of all objections that can be made against a public measure, has just passed through the ordeal of public discussion, and the doctrine in question has been so thoroughly rejected and condemned by the voice of the nation that it is no longer necessary to spend words in refuting it.

Two circumstances have, however, occurred, which, though not necessary to its overthrow, give to that overthrow a sanction that entitles them to notice. It now appears, that twenty-eight years since, at the time of the Missouri compromise, Mr. Monroe, then president, a slaveholder, and elected from a slaveholding state, submitted this very question, save only that it was then applied to slave territory, to a cabinet composed, among other great men, of such giant intellects from the slaveholding states, as Crawford, Calhoun and Wirt, the latter the law officer of the government; that they were unanimously of opinion that Congress did possess the power in question; and that the then president, a man who was on the scene of action when the Constitution was formed, concurring in that opinion, approved the bill. The documents which attest these interesting circumstances are before the country, and every one will judge for himself of their claims to credence, considered in connection with what has been said upon the subject by the survivors of the Cabinet referred to.

To bring the matter nearer to our own times, within a few days, upon the heel of the recent discussions upon this point, a bill containing this restriction—the very bill which has, in part, produced this discussion—has passed both branches of the national legislature, and received the constitutional approval of the present executive—an ap-

proval which it was his sworn duty to withhold, if he had not been satisfied that all the provisions of the bill were in conformity to the constitution. The present President, also a slaveholder, elected from a slaveholding state, with a large portion of his cabinet, in the same situation, has given the highest sanction to the doctrine we contend for, that is known to our institutions; and although he felt himself called upon to make an extra message, setting forth his reasons for believing that the restriction ought not to be applied to our Mexican territories, he does not take the slightest notice of the constitutional objection on which so many southern states had based their opposition to the general measure. This branch of the subject had been thus, and we hope for ever, disposed of.

It is further contended, that slaves are so far to be regarded as property as to authorize their owners to carry them into any of the territories, and to hold them there, notwithstanding any act which Congress may pass upon the subject. If Congress have the constitutional power to prohibit slavery in the territories, its laws place the subject on the same footing there, as the state laws do in the states. As well, therefore, might the slaveholder contend that he can bring his slaves into a state which prohibits slavery, as that he can bring them into territories where slavery is prohibited by Congress. If his slave runs away, and enters one of the non-slaveholding states, he does not thereby become free, but shall be delivered up upon the claim of the person entitled to his services. But this is not in consequence of the recognition of the right of property in such person, notwithstanding the state laws; but in virtue of an express article of the constitution, which constitutes one of its compromises upon the subject of slavery. This view of the matter was placed in a clear light in the recent debates, by one of the oldest and most distinguished members of the Senate, when he insisted that the claim, on the part of the slaveholders, though nominally to remove their property, was, in reality, to transport their laws into the territories. One has, therefore, only to imagine a territory governed by the various and conflicting laws of thirty independent states, to appreciate the absurdity of the pretension.

But it is insisted that the prohibition carries with it a reproach to the slave-holding States, and that submission to it would degrade them. This is obviously the principal, if not the material ground of opposition to the measure that is persisted in; and most assuredly, if it were well founded, we would have no just ground to take exception to the earnestness with which it is sustained. Let the objection, therefore, be fairly and dispassionately considered. Very erroneous opinions of the dispositions of the northern people are entertained by those who think them capable of desiring the degradation of any of the States of the confederacy, whether they be slave-holding or otherwise. They entertain too enlightened a sense of their own interests; they have too just a conception of the true glory of the confederacy, and of the extent to which the humiliation of a part would tarnish the lustre of the whole; and they are, above all, too national in their feelings, not to cherish a deep solicitude for the honor and welfare of all its members. If they could, therefore, believe that the success of this measure would draw after it such grave consequences, they would be among the last to uphold it. If it can have such a tendency, it will certainly not be owing to any want of generality in its application.

The restriction will, of course, be obligatory on all who settle in the territories, from whatever state or country they may have emigrated. They will all, in this respect, stand upon an equal footing. If any inhabitant of any of the non-slaveholding States, who removes to the territories, has his capital invested in business transactions which are not permitted by the laws of the territory, he must change the investment. If a slaveholder desires to remove there, he must dispose of his slaves, and employ free labor as his countrymen and neighbors did, when they removed to different portions of the north-western territory, and in doing so made themselves prosperous, contented and happy.

Let us for a moment look at the character of this measure, and compare it with others that have gone before it. It is a re-enactment of the ordinance of 1787, which prohibited the introduction of slavery into territories which had been ceded by several of the States to the United States. The difference between the effects of the two measures, consists only in the fact, that the territory to which the ordinance of '87 was applied, was, previous to its cession, subject to the introduction of slavery; whilst the territories to which it is now sought to be applied, had, at the time of the cession to us, been already exempted from it by law. Who first proclaimed the principle which triumphed in the enactment of the ordinance of 1787? Thomas Jefferson. Who pro-

moted and secured its passage through the Continental Congress? All the distinguished and patriotic men who that year represented the slave-holding States in that body, without a solitary exception. Who gave to the measure his official sanction, by approving a bill to carry it into effect, under the new government? George Washington. Within the last sixty years, and down to 1838, the same enactment has been again and again repeated, with the general concurrence of the southern members, and often through their particular instrumentality. A full fifth of the States of the Union have been organized as territories under its restrictions. In respect to Ohio, the oldest of them, conformity to this principle in the ordinance of '87, was required, even in the State Constitution and government, and the bill giving to the ordinance this application, was reported by a committee of which William B. Giles, of Virginia, was chairman, and John Rutledge, of South Carolina, a member. It was passed in the Senate by a vote of sixteen to five, and among the ayes will be found the respected names of Baldwin and Jackson, of Georgia, Breckenridge and Brown, of Kentucky, Franklin and Stone, of North Carolina, Stevens Thompson Mason, and Wilson Cary Nicholas, of Virginia, Sumpter, of South Carolina, and Wright, of Maryland. The States which have grown up under and in conformity to that ordinance have, in a very great degree, been settled by emigrants from the slave-holding States. Thousands of these hardy and enterprising pioneers, many of them among the most respectable of their fellow-citizens, for a series of years in succession, left their friends and neighbors in the slave-holding States for what was then the far west, accompanied by their prayers and benedictions; it never entering into the imagination of either, that in so doing they submitted to any personal or sectional reproach or degradation. Prosperous and happy in their new abode, they and their associates, and the great enterprise they accomplished, have been honored and admired by all who witnessed their success. One of those very settlers, after assuming and for many years discharging the responsibility of enforcing the ordinance of 1787, and after enjoying a large share of his country's confidence and respect in other forms, was finally elevated to the Presidency, and died in that exalted station. Another highly distinguished inhabitant of one of the territories, subject to the same restriction, after having also, for a long series of years, borne the responsibility of seeing to the execution of this now derided ordinance, as Governor of the territory, is, at present, the favored candidate for the same high office, of portions of the citizens of the slave-holding as well as of the other States.

In the face of facts like these, is it possible that the application of this restriction to New Mexico and California can operate to the disparagement of our brethren of the slaveholding states? No impartial mind can, I think, regard it in this light; and if there be any other objections insisted on that are worthy of notice, I am not apprized of them. None that are tenable, can, in my judgment, be offered. The measure is right in itself; and what is right may always be done with ultimate safety. The present generation stand in the same relation towards these very extensive territories, in which the sages of 1787 stood towards the northwestern territory. If we act as wisely as they did, results not less glorious than those which reflect such undying honor on the policy of that day, will follow the labors and perpetuate the memories of those by whom it is now upheld.

The sixth resolution embraces the subject of slavery in the District of Columbia; and I observe in it a generality of expression, in respect to the time when, and the circumstances under which, it was the opinion of the Convention that it should be abolished, which has not been usual on the part of the friends of immediate action. Most reflecting and philanthropic minds live in the hope, that they will one day see Slavery abolished, not only in that District, but in the States also, in the latter through the agency of the state governments, to whom the constitution wisely leaves exclusive power in the matter, and in the former by Congress. I may be mistaken, but I think I see in the guarded language of the resolution, evidence of an apprehension, on the part of the Convention, that a difference in opinion, to some extent at least, existed among its members, upon the point referred to, and of an enlightened and truly patriotic resolve, not to suffer that circumstance, if it existed, to weaken the moral power of their unanimity on the great question which had brought them together.

My opinion, in favor of the power of Congress to abolish slavery in the District of Columbia, has been repeatedly avowed, as well when a candidate, as whilst president; and every day's reflection has but served to confirm my conviction of its correctness.— I at the same time, express myself strongly against the expediency of exercising it; and

in a recent letter to the New-York delegation at Utica, I referred to my continued opposition to that measure. The subject was only incidentally introduced, and there was, consequently, but little care taken in regard to the terms, in which the suggestion was made.

The form of expression which I employed has, it appears, led many honest and intelligent men to assume that the remark related, exclusively, to the past, and was not intended to convey my present views on the matter. This construction, though, perhaps, not unwarranted by the words employed, is, in fact, erroneous; and it is due to truth, to fair dealing, and to all who take an interest in the matter, that the subject should now be placed in its true light.

It is not to be denied that many of the reasons which, in 1837 and before, operated to produce the convictions I then expressed, no longer exist; and if, when writing to the New-York delegation at Utica, I could have anticipated what has since occurred, I should have felt it my duty to discriminate between the reasons which had passed away, and those which yet remain. But when my letter to them was written, nothing could have been further from my expectations, than that I should ever again be a candidate for the presidency; and, of course, it was not my intention to say what my conduct would be on this or any other matter, if again an incumbent of that place.

I have spoken, in a former part of this letter, of the three leading features of the policy, in regard to slavery, adopted by the Fathers of the Republic. History, if true, must record the fact, that the north has hitherto faithfully sustained her part, in the maintenance of this policy, and in none more so than in that which inculcates forbearance on the point now referred to. I wish to see the forbearance which has so long characterized her conduct in this matter, still farther continued. Approving of the Platform which the convention has adopted, and conscious, from my impressions of right and duty in regard to it, that I shall be among the last to abandon it, I prefer not to connect our efforts to sustain it, with an issue which, all must admit to be, in some degree at least, affected by different considerations.

In my judgment, all that is necessary to insure success, is dispassionate, but steady and firm action.—Let the great principle we are now contending for, be once more re-established in the councils of the nation, and the institution of slavery in the District of Columbia will fall of itself. Other and more important interests will intervene, and induce the inhabitants themselves to labor for its removal.

I must not, however, be understood, either by what I now say, or by what was said in my letter to the New-York delegation at Utica, as repeating the declaration that I would, if elected, withhold my approval from a bill for the abolition of slavery in the District. I could not now give any such assurance, for the reason, that the circumstances by which the question is now surrounded, are widely and materially different from what they were when the declaration was made; and because, upon a question of expediency, circumstances must control. At that time, the apprehension was honestly entertained, that there was danger of a servile war, in consequence of the extent to which the agitation of this question had been pressed.

Participating in this apprehension and believing that such a declaration, in advance of any action of Congress upon the subject, would have a salutary influence in allaying excitement, and warding off the danger which menaced the peace of the slaveholding states, I did not hesitate to make it. Whilst, on the one hand, all grounds for this apprehension have passed away, we are, on the other, threatened with a subversion of the spirit and character of our government, through the successful encroachments of the slave power. If, under such circumstances, two branches of the national legislature should decide that a due regard for the public interest requires the passage of such a law, I should not, if President, think it within the line of my duty to arrest its passage by the exercise of the veto power.

Among the difficult subjects that occupied the attention of my illustrious predecessor, whilst I was a member of his cabinet, and of myself whilst President, that of river and harbor improvements by the aid of the federal government, occupied a prominent position.

Whilst the conviction was very general with ourselves and others, that a large class of them was deserving of aid from that quarter, and that it could be extended to them without exceeding the prescribed powers of the government, all were strongly impressed with a deep sense of the liabilities to abuse, to which the legislation of Congress upon the subject was unavoidably exposed. The matter was one of frequent and earnest

conference between President Jackson and myself, during the first two years of his first, and the whole of his last term. The result was a conviction that no better course could be adopted than to approve such bills as we were satisfied came within the class referred to, and do all that could be rightfully done by the Executive, to prevent abuses by appropriations for objects that were not entitled to the aid of the Federal Government. The appropriations for river and harbor improvements contained in acts of Congress approved during our respective administrations, will show the results of that conviction; and I know of nothing that would prevent me from pursuing the same course if I should again occupy the office of President.

The subject is one of vast importance, and well deserving the attention bestowed upon it by the Chicago Convention of last year. I have not before me the letter addressed by my lamented friend, Governor Wright, to that body, but I was strongly and favorably impressed by the views he expressed upon the general subject.

The views which I have for many years entertained in regard to the best disposition by Congress, of the public lands, have been recently set forth, in my published letter to the "Industrial Congress." They were—

First. That Congress ought to act upon the principle, that the United States have a greater interest in the early settlement and substantial improvement of the public lands, than in the amount of revenue which may be derived from them.

Secondly. That the accumulation of large tracts, in few hands, should be discountenanced; and

Thirdly. That liberal facilities ought to be afforded, for the acquisition of small portions, by such of our citizens, wherever residing, as are in good faith desirous of possessing them as homes for themselves and their families. These opinions were announced as far back as 1835, whilst a candidate for the Presidency. I set forth, also, in my letter to the Industrial Congress, the recommendations I had, whilst President, made to Congress, and the acts I had approved to promote the policy I had avowed. The general principles I have sustained upon the subject of the disposition of the public lands, are in harmony with the resolution of the convention, with this difference: that whilst the convention propose free grants of limited quantities, for actual settlement, the farthest that I had gone, was to recommend grants of portions of them, at prices little, if any thing, more than sufficient to defray the expenses of survey and location. The policy to which I have so long adhered, and for the success of which I have been sincerely solicitous, makes the early, and, as far as practicable, substantial settlement of the public lands, the principal, and the revenue derived from the sales of them, a secondary, and comparatively unimportant object.

I regard the question of revenue as only important, because it affords a prospect of securing regularity, and a greater degree of stability in the settlements. If a plan can be devised by which these objects would, in all reasonable probability, be as well effected as they can be by the exaction of a pecuniary consideration from the settlers, the relinquishment of that consideration would, with me, be no objection to the measure. From a report of the Committee on public lands, which has lately been forwarded to me, it appears that the sales of the public lands have been pledged to the public creditors for one of the loans of the last year. If this is so, Congress will, without doubt, if any plan for the free gift of any portions of the public lands to actual settlers should hereafter find favor in their eyes, see that the objection arising from this cause be, in some proper way, obviated. Come what may, the good faith of the nation must always be scrupulously maintained.

My opinions in regard to protective duties and the best sources of revenue were very fully given in my letter to the Indiana Convention in 1843, which was extensively published; and they are the same now. I, on that occasion, gave my reasons for regarding the system of taxation in force in the states, viz: a direct tax upon assessed property, as more equal and equitable than a system of duties on imports. I gave also my reasons for believing that duties on imports would for a long time continue to be used as the mode by which the federal government would collect its revenues, in preference to a resort to direct taxation. Although the latter is, I believe, steadily gaining in the public mind, its advance has not yet been sufficient to authorize us to expect its early adoption.

In the mean time, government must have revenue for its support, and the very heavy debt which it has recently incurred ought to be paid as soon as practicable. Under these circumstances I acquiesce in the resolve of the Convention, that the means for these purposes should be raised by a revenue tariff.

I have deemed it due to the Convention, and to the occasion, to depart thus much from the rule which I prescribed to myself in my letter to the Industrial Congress, in regard to further expositions of my opinions upon public questions. Having done so, I shall, for the rest of the canvass, adhere to that rule, and leave the whole matter in the hands of the people, with whose disposition of it all should be, and I certainly will be, satisfied.

I am, gentlemen, very respectfully, your friend,

M. VAN BUREN.

BENJAMIN F. BUTLER,  
JOSEPH L. WHITE, and  
SALMON P. CHASE, Esqrs. } Committee of Buffalo Convention.

To the Hon. B. F. BUTLER, J. L. WHITE, and S. P. CHASE, Committee of the National Free Soil Convention, held at Buffalo, N. Y.

QUINCY, August 22, 1848.

Gentlemen,—I have just received your official letter, apprising me of the great honor done me by the Convention which you represent, in nominating me as its candidate for the office of Vice President of the United States, and also soliciting my acceptance of the nomination.

In reply, permit me to say that it had been my hope and my expectation to be able to act in the present canvass as one of the humblest, but not the least earnest and devoted servant of the great cause in which we are engaged; but since it has pleased my fellow laborers, and especially the noble representatives of the great State of Ohio, to whom in your letter you particularly allude, to call upon me, most unexpectedly to myself, to stand in the front ranks of the contest; since it is their will, unequivocally expressed, that I should be their candidate for the second office in the Union, I am not the man to refuse to acknowledge the obligation, or to shrink by a moment's hesitation from the post not less of duty than of honor to which they assign me. I accept most cheerfully of the nomination.

The fathers of the republic, nurtured in the great school of liberty opened by the reformation, aimed to illustrate by a practical example in America the excellence of their cherished theory of government.—To the general success of their experiment, commenced in 1776, and carried forward in 1789, a lapse of more than half a century has borne witness.

But unfortunately the same period has also developed the existence of an adverse influence incautiously admitted at the outset, which has thus far done much to qualify the beneficial results which have been attained from it.

That which at first seemed only a deflection from the path of justice in favor of vested rights and a privileged class, has, by degrees, shown itself to be so wide a divergency, that the only choice now left to the people of the United States is either to turn back, or else, by going further forward, voluntarily to abandon the principles with which their fathers started. The alternative is clearly presented of the extension of slavery over the whole breadth of the North American continent, or the maintenance of the fundamental doctrines of the Declaration of Independence. The two things cannot coexist in the United States. Regret it as we may, we can neither evade nor refuse the issue made up for us. Nor to accept it is equivalent in my mind to deserting a great moral, social and political truth, at a moment when every known rule of human duty would seem to demand the complete establishment of it over the minds of a free people.

With these feelings I have read, again and again, the platform of principles laid down by the Buffalo Convention. I hail it as the signal of return to the path of the revolutionary patriots, as the era of advance in the theory of free democracy.

There are now but two living antagonist principles in the politics of the United States. The one which shelters itself under the cover of human force, and the other which draws its vitality from human reason and human sympathy. To all those who have confidence in the capacity of man for self-government, it must be a source of great satisfaction to believe that the period when the last of these principles will triumph in the United States, is rapidly approaching.

At the same time it would be unjust to accompany such a victory with any feelings of acrimony of ill will towards the individual members of the losing side. The slave-holding section of the Union merits our sympathy, even while its aggressive policy meets with the firmest resistance. For the time may yet come when those who now regard



the declarations of the Buffalo platform as a vindictive assault upon their dearest interests, will construe them rather to be the preservation of their highest moral and political rights. Ours is not a contest with geographically defined sections of country, nor with organized communities of men. It is a struggle to sustain principles of inestimable value in every land, of general application wherever society is established.

Success with us is the synonyme only of that extension of the greatest blessing, which good government can most certainly be expected to confer upon the human races.

As such we hail its approach not so much for the good it may do to us as to all those who may now regard it as portending nothing but injury to themselves.

I am, gentlemen, with sentiments of the highest respect, your obedient servant,

CHARLES FRANCIS ADAMS.

#### HISTORY OF THE FREE SOIL QUESTION DURING THE FIRST SESSION OF THE XXXTH CONGRESS.

In the House of Representatives a bill was reported by the committee on territories, to organize a territorial government for Oregon. It contained the sixth article of the ordinance of 1787, in respect to the territory north and west of the Ohio river, prohibiting slavery forever, or, in other words, the Wilmot proviso, as it has been denominated, because Mr. Wilmot, of Pennsylvania, offered it in 1846, as an amendment to a bill appropriating two millions of dollars with a view to a termination of the war with Mexico. The debate commenced on the 28th of March, 1848, in the House.

In the Senate, a bill was introduced on leave by Mr. Douglas, of Illinois, on the 10th of January, to establish the territorial government of Oregon, and referred to the committee on territories, of which he was chairman. The bill was reported to the Senate by Mr. Douglas, without amendment, on the 7th of February. It provided that "existing laws now in force in the territory of Oregon, under the authority of the provisional government established by the people thereof, shall continue to be valid and operative," &c. One of these laws prohibited slavery forever. This prohibition was, therefore, indirectly enforced by the bill. On the 31st of May the bill was taken up for discussion, on motion of Mr. Bright, of Indiana, the senior member of the Committee, in the absence of Mr. Douglas, the chairman. Mr. Benton moved to amend it, by introducing a section authorizing the President to raise a regiment of volunteers in the territory; and the immediate passage of the bill was urged upon the ground that the settlers were in danger from Indian hostilities. The Senate refused to consider it, but after a desultory debate during several mornings, in which various amendments were submitted, and some of which were adopted, the discussion was opened by Mr. Dix, on the 26th of July, in the speech given in full in the succeeding pages of this work. The principal amendments under consideration, were one offered by Mr. Hale, of New Hampshire, making the prohibition of slavery direct, and one offered by Mr. Davis, of Mississippi, providing, "that nothing contained in this act shall be so construed as to authorize the prohibition of domestic slavery in said territory, whilst it remains in the condition of a territory of the United States." The amendment of Mr. Davis was designed to carry out the views of Southern Senators, which had been freely expressed in the desultory debate referred to, and on other occasions, insisting on the right, under the Constitution, to carry their slaves into any territory belonging to the United States, and insisting further, that neither Congress, nor the inhabitants of a territory, had any legal authority to prohibit their introduction. On the following day Mr. Bright offered an amendment, applying the principle of the Missouri compromise to all the territories of the United States; or, in other words, prohibiting slavery north of 36° 30', thus virtually leaving all territory south of that parallel open to the introduction of slaves. After the introduction of this amendment, Mr. Calhoun, of South Carolina, replied to Mr. Dix, and Mr. Berrien, of Georgia, followed on the same side the next day. Mr. Bright's amendment did not satisfy Southern Senators. They wished a direct recognition of slavery south of 36° 30'; and accordingly Mr. Underwood, of Kentucky, offered a proviso, "that citizens of the United States, emigrating with their slaves into any of the territories of the United States, south of said parallel of latitude, shall be protected in their property, in their slaves, so long as the territory to which they emigrate continues under a territorial government." This is believed to be the first attempt to sanction directly by public law the introduction of slavery into territories in which it does not exist. The debate continued until the 12th of July, when Mr. Clayton, of Delaware, moved that the subject be recommitted to a select committee of eight members, to be appointed by ballot. Mr. Bright suggested a modification, to the effect, that the committee on territories be dis-

charged from the further consideration of so much of the President's Message as relates to New Mexico, and California, and Oregon, and that it be referred to the select committee of eight. These motions prevailed, and on the ensuing day, the 13th of July, the committee was chosen, consisting of Mr. Clayton, chairman; and Messrs. Bright, Calhoun, Clarke, of Rhode Island, Atchison, of Missouri, Phelps, of Vermont, Dickinson, of New-York, and Underwood, of Kentucky.

On the 18th of July, the Committee reported what is known as the Compromise Bill, or as entitled by the Committee, "A bill to establish the Territorial Governments of Oregon, California, and New Mexico." The bill continued in force the laws of Oregon, until the end of three months after the first meeting of her legislative assembly, to be chosen under the provisions of the bill, and authorized the appointment of a Governor, Secretary, and Judges, to compose a temporary legislature for New Mexico and California, without power to legislate on the subject of slavery. The bill was considered by some of its opponents, as leaving California and New Mexico open to the introduction of slaves, and as virtually repealing in three months after the meeting of her legislative assembly, the organic law of Oregon, prohibiting slavery for ever within that territory. On the other hand it was opposed by some of the Southern Senators, on the ground that it was unjust to the South. The effect of the bill would have been to leave the two territories acquired from Mexico, open to the introduction of slaves, and to leave to the Courts to decide whether they could be lawfully introduced. There was no permanent prohibition of slavery in either Territory, nor in Oregon; and it was contended by several of the Senators from the North, among others by Mr. Dix, that slaves will always be carried where they are not absolutely prohibited.

The debate commenced on the 22d of July, and on the 26th Mr. Dix made the speech against it, of which a synopsis is appended. On that day the Senate commenced its session at eleven o'clock, A. M., and continued sitting until eight o'clock, A. M. the following day—a continuous session of twenty-one hours. A variety of amendments were offered:—among them several prohibiting or restricting slavery were disagreed to, and the bill was finally passed on the morning of the 27th of July, by the following vote, viz.: AYES, 33—NAYS, 22.

The bill was presented to the House, on the 28th of July, and was immediately laid on the table, by a vote of 114 to 96; a vote equivalent to a rejection.

In the meantime the House had been engaged in the discussion of its own bill, already referred to, organizing a Territorial Government for Oregon, with a prohibition of slavery. On the 2d of August, after an ineffectual attempt to strike out the prohibition, the bill was passed by a vote of 129 yeas to 71 nays. On the 3d, the following day, it was received by the Senate and referred to the Committee on Territories. The bill was reported by the Committee on the 11th, and a debate ensued, and continued until the 10th, when after inserting an amendment containing the Missouri Compromise, the bill was passed by the following vote: AYES, 33—NAYS, 22.

The bill was sent to the House on the 11th of August, and the amendment, containing the Missouri Compromise, was non-concurred in by a vote of 121 to 82. On the 12th the bill was received by the Senate, and Mr. Benton moved that the Senate recede from its amendments, in which the House had refused to concur. The Senate commenced its session at 10 o'clock, A. M., on this day, and the debate, one of the most protracted ever known in that body, continued until 10 o'clock on Sunday the 13th.—The object obviously was to sit out the session, which was to close at 12 o'clock on Monday, for the purpose of defeating the bill: but after persisting in debating the bill until Sunday morning, its opponents gave way; and the vote was taken on Col. Benton's motion to recede from the amendment containing the Missouri Compromise, as follows: AYES, 29—NAYS, 25. Thus, the principle of the ordinance of 1787, or the Wilmot Proviso, was applied to the Territory of Oregon, prohibiting slavery therein for ever, after one of the most able and exciting debates ever known in Congress, protracted, in both Houses, through a period of three months, and with the result of compelling some of the most bitter opponents of the measure to succumb to the manifestations of public opinion and give it their reluctant votes.

The speeches of the Hon. John A. Dix referred to, on the Oregon and Compromise bills, are among the most logical, able and convincing arguments made in the Senate in many years. They are calm, clear, full and direct, and place their author in the very highest rank as an able statesman. More than this. They give evidence of a high moral sense of duty in public affairs, and fearlessness in the discharge of it—an element of incomparable value in this period of our history.

## SPEECH OF HON. JOHN A. DIX,

OF NEW-YORK,

## IN THE SENATE OF THE UNITED STATES,

## ON THE BILL TO ESTABLISH A TERRITORIAL GOVERNMENT IN OREGON.

Mr. Dix said:

MR. PRESIDENT: During the present session of Congress, propositions have been repeatedly introduced into the Senate involving the question of slavery. I have abstained from all participation in the discussions to which they have given rise, because I consider them as abstract propositions, having no direct practical bearing or effect. The measure before us is of a different character. It contemplates an act of legislation; it proposes a law containing provisions to be enforced and to control the inhabitants of a district of country more than two hundred thousand square miles in extent. By this act we are literally laying the foundations of a future empire. It is a subject eminently practical; and therefore I speak.

The questions to which the discussion of the bill has given rise, are of the highest moment. They concern the power of Congress over the territory belonging to the United States, and especially in respect to slavery in such territory. Nor is this all. They involve not only the authority of Congress, under the constitution, to regulate the domestic concerns of the persons inhabiting or occupying the public domain beyond the limits of the States, but they may affect for an indefinite period, the social and political condition of entire communities. They may vitally concern the prosperity of the future millions who are to fill the valleys and cover the hills of Oregon; and it is due to the magnitude of the subject, that it should be discussed with calmness and without asperity either of feeling or of language.

Conducted in such a spirit, discussion, even if it were unnecessary, could do no harm, however widely we may differ, or however delicate the questions with which it has to deal. Indeed, it is always possible the very conflict of opinion may strike out light and truth, and furnish a basis for an amicable adjustment of differences, which would otherwise have been irreconcilable. It may be a vain hope to expect to harmonize those who are now so wide apart; but if it prove a delusion, it may nevertheless be profitable to indulge it. It may, at least, serve to moderate the tone of discussion.

In the course of the debate on this and other kindred topics, various propositions have been advanced, and they have been sustained with distinguished ability. Some of these propositions are repetitions of the same general assumption under different phases. For instance, it has been assumed that the citizens of any State in the Union have a right to go into any territory belonging to the United States, and take with them whatever is recognized as property by the local law of the State from which they migrate.

It is also assumed that the inhabitants of a territory cannot, by any legislative enactment, prevent the citizens of any State in the Union from coming into the territory with whatever the local law of such State recognizes as property. These are little else than verbal modifications of the same proposition; or, at least, the one is a necessary consequence of the other. On the other hand, it is contended that the inhabitants of a territory belonging to the United States have an inherent right to regulate their own domestic concerns for themselves, wherever the jurisdiction of the soil they inhabit may reside, and without being overruled by the sovereign political power to which they are subordinate.

There is a question which lies beyond all those propositions, and which, if it can be satisfactorily answered, must be decisive of them all, because it includes them all. Has Congress the right, under the Constitution, to legislate for the territory of the United States, organize governments for the inhabitants residing in such territory, and regulate within it all matters of local and domestic concern? I believe this question can be satisfactorily answered in the affirmative; that the power, to this unlimited extent can be sustained—1st, by cotemporaneous exposition of the meaning of the constitution and the intention of its framers; 2d, by judicial interpretation; and 3d, by the whole practice of the government; from its foundation to the present day.

This is the fundamental question I propose first to discuss: I shall lay aside all consideration of subordinate propositions. These necessarily fall, if the other can be

established. My purpose is, to attempt to establish it; and in all I have to say I shall endeavor to be strictly argumentative.

The power of regulating all matters concerning the public domain I think may fairly be considered a necessary incident to the power of acquiring territory; and this not only in respect to the disposition which may be made of the naked soil, as it has been denominated, but in respect to the classes of persons who are permitted to occupy it, and the conditions of the occupation. I consider this unrestricted power as an inseparable incident of sovereignty, to be exercised by the supreme authority of the organized community or state in which it resides. The power of acquisition is itself unrestricted by the terms of our social compact, so far as the objects of acquisition are concerned. It is incidental also. It is derived from the power of making war and treaties; and the limits to the exercise of these powers are to be found in fundamental rules and principles applicable to all organized societies.

But I do not, for the purposes of my argument, place the power on this ground. I assign to it an origin less likely, I think, to be questioned. I place it on that provision of the Constitution which gives Congress "power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

I am aware that this clause of the constitution has recently received a construction which confines the action of the Government in respect to the public domain to the narrowest possible limits—a construction which leaves to Congress the mere right to regulate the mode in which the public land shall be surveyed, brought into market, and sold, without any power to regulate the political or municipal affairs of those who settle upon it, while they are acquiring the requisites usually exacted as conditions of their admission into the Union. This construction is subversive of every idea of sovereignty in the state, (I use the word in its largest sense,) as the owner of the soil. It reduces the government of the United States to the condition of a mere individual proprietor of land, without a single attribute of political power. Such a consequence could never have been contemplated by the framers of the constitution as likely to be drawn from the clause in question. On the contrary, I am satisfied they regarded it as conferring a power of the most plenary nature. I shall endeavor to make this apparent to the Senate: and in doing so, it will be necessary to look at the history of the clause of the constitution referred to.

On the 18th August, 1787, Mr. Madison introduced into the Federal Convention, then engaged in framing the Constitution, a series of propositions, in order to be referred to the Committee of Detail.—Among them were these: To authorize Congress—

"To dispose of the unappropriated lands of the United States.

"To institute temporary Governments for new States arising therein."

On the 22d of August, Mr. Rutledge, from the Committee of Detail, made a partial report on Mr. Madison's propositions, and on others submitted by Mr. Pinckney on the 20th. Mr. Madison's propositions, above quoted, providing for the disposal of the unappropriated lands and the institution of temporary governments for new states arising therein, were not reported by the committee. But, on the 30th of August, Mr. Gouverneur Morris introduced the clause respecting the territory belonging to the United States, which, with a few immaterial verbal alterations, is now a part of the Constitution. After Mr. Luther Martin had offered an amendment, which was rejected, the clause was adopted, Maryland alone dissenting.

It may not distinctly appear, at first glance, what Mr. Madison designed by the institution of temporary governments for "new states arising within" the unappropriated lands. It might be supposed that he intended to provide for their temporary government as states after their erection or formation. But those who are familiar with the parliamentary phraseology of that day, will have no doubt that the term states was used as we now employ the term territories.

But be this so or not, it is certainly not fair to say, as has been said, that it shared the fate of the proposition to confer upon Congress the power to grant charters of incorporation, to establish a university, and to construct canals, &c. These propositions were distinctly presented to Congress, and formally and decisively negatived by a direct recorded vote, as may be seen by referring to the proceedings of the Convention on the 14th September.

It was not so with Mr. Madison's proposition in respect to the unappropriated lands of the United States. The most that can be said is, that the committee were not in favor of it in its original form. There was no vote on it in that form in convention—

no rejection. The proposition of Mr. Morris, which is now a part of the constitution, was manifestly, from its terms as well as the circumstances and the subject-matter, intended as a substitute for it. It was adopted almost without opposition. The power it is construed to confer has been exercised from the earliest period in our history. The attention of the convention was distinctly drawn to the subject by Mr. Madison; and it is difficult to believe that an authority so general as that of making "all needful rules and regulations" respecting the territory belonging to the United States (the term regulations being used at that time much as we now use the term laws) could have been conferred, without question, if it had been intended to withhold the power of providing for the government of the individuals inhabiting it, until they were admitted into the Union.

On the 13th July preceding, the Congress of the Confederation had passed the celebrated ordinance of 1787, in relation to the territory northwest of the Ohio river. This fact could hardly have been unknown to the members of the convention. Congress, it is true, was sitting in New-York, while the convention sat in Philadelphia. I believe the proceedings of both were with closed doors; but the members of the latter were doubtless made acquainted with the proceedings of the other. This fact—the coincidence in point of time—may have some slight bearing upon the intention of the clause giving Congress power to dispose of and make needful rules and regulations respecting the territory belonging to the United States.

The opinion of Mr. Madison has been quoted to prove the illegality of the ordinance of 1787. This being conceded, it cannot by any supposed consequence or analogy have any bearing on the power of legislation by Congress, under the constitution in respect to the prohibition of slavery in the territories of the United States. The ordinance, as we know, was passed by Congress under the articles of confederation, though it was ratified by the first Congress which assembled under the constitution. Any inference from the proceedings of the one, so far as the question of power is concerned, would be wholly inapplicable to the other. But I hold, and shall endeavor to show, that the very argument in which Mr. Madison denied the authority of Congress, under the articles of confederation, to pass the ordinance of 1787, had for its object to prove the necessity of such a power in Congress under the constitution, and that it proceeded upon the supposed existence of the power.

The usual reference to prove the illegality of the ordinance is to the opinion of Mr. Madison, in the 38th number of the *Federalist*, which was written by him. I will read an extract from it referring to the Western territory:

"We may calculate, therefore, that a rich and fertile country of an area equal to the inhabited extent of the United States, will soon become a national stock. They have begun to render it productive. Congress have undertaken to do more; they have proceeded to form new states; to erect temporary governments; to appoint officers for them; and to prescribe the conditions on which such states shall be admitted into the confederacy. All this has been done, and done without the least color of constitutional authority."

What was the object of this reference? Was it to pass a useless comment upon the conduct of Congress in exceeding its powers? By no means. He adds:

"I mean not, by any thing here said, to throw censure on the measures pursued by Congress. I am sensible they could not have done otherwise. The public interest, the necessity of the case imposed upon them the task of overleaping their constitutional limits. But is not the fact an alarming proof of the danger resulting from a government which does not possess regular powers commensurate to its objects?"

The whole article taken together, and not judged by a single extract, appears to me to lead almost irresistibly to the conclusion, that Mr. Madison regarded the new system of government, the Constitution, as supplying defects which had led to abuse and usurpation under the old, the Confederation; that he considered the former as remedying the very defects which had imposed on Congress the necessity of overleaping the constitutional limits of their power; that he viewed the provision of the Constitution authorizing Congress "to dispose of, and make all needful rules and regulations respecting the territory" of the United States, as conferring the power which, in his opinion, Congress had usurped, and as giving legality, under the Constitution, to proceedings which he condemned, under the Confederation, as void of constitutional authority.

Happily, sir, we are not left to mere inference in respect to the opinions of Mr. Madison on this point. If we turn to the 43d number of the *Federalist*, also written by

him, we shall find a direct reference to the clause in the Constitution concerning the territory of the United States. If there were any doubt before, I think this would dissipate it. He is speaking of certain powers conferred on Congress by the Constitution. He says: "The eventual establishment of new States seems to have been overlooked by the compilers of that instrument, [Articles of Confederation.] We have seen the inconvenience of this omission, and the assumption of power into which Congress have been led by it. With great propriety, therefore, has the new system supplied the defect."

He next quotes the clause giving Congress "power to dispose of, and make all needful rules and regulations respecting the territory" of the United States; and adds, "this is a power of very great importance, and required by considerations similar to those which show the propriety of the former." By the former is meant the power of admitting new States into the Union—a power which he had adverted to as supplying a defect in the Articles of Confederation, and as avoiding the evil of usurping the exercise of an indispensable authority. Would he have denominated it a "power of very great importance," if he had regarded it as limited to a mere sale of the public lands? Would he have said that it was "required by considerations similar to those which show the propriety of the former,"—the admission of new States—unless he had considered it as having "supplied a defect," as in the other case to which he had referred, and empowered Congress to do what it had done in respect to the Northwestern territory without authority? There were other territories besides that northwest of the Ohio to be provided for. South Carolina had at that very time ceded to the United States her interest in the territory east of the Mississippi, now comprised in the States of Mississippi and Alabama; North Carolina and Georgia were expected to cede what now constitutes Tennessee, and the residue of Mississippi and Alabama.

Mr. Madison, in the 38th number of the *Federalist*, written a year after the ordinance of 1787 was adopted, obviously alludes to those two last cessions as reasonably to be expected. How were these territories, and that which South Carolina had ceded, to be provided for—how were temporary governments to be erected—how were officers to be appointed for them—how was the authority of the United States to be extended over them? Was it not under the clause of the Constitution, authorizing "all needful rules and regulations" to be made? Was it not in contemplation of these organic arrangements for the communities which were to arise within the territory then acquired, and expected to be acquired, that Mr. Madison pronounced that clause as conferring "a power of very great importance?"

If we take these two numbers of the *Federalist*, (the 38th and the 43d,) the reasonings of which are directly connected by himself, in conjunction with his subsequent participation in legislative acts, by which the ordinance of 1787 was enforced, and similar provisions were applied to other portions of the public domain, his interpretation of the Constitution, in respect to the power of Congress over the territory of the United States, cannot well be doubted. But, if any lingering doubt should remain in respect to Mr. Madison's opinion as to the right of Congress to legislate in respect to the municipal concerns of the persons residing upon the territory belonging to the United States, it will be removed by his declaration in Congress in 1790, that, though Congress was restricted by the Constitution from taking measures to abolish the slave trade, yet there was a variety of ways in which it could countenance abolition, "and regulations might be made in relation to the introduction of them [slaves] into the new States to be formed out of the western territory."

I have been thus particular in explaining Mr. Madison's opinion, not only on account of the high authority which it carries with it, but because, from the manner in which it has been cited, it might seem to support conclusions which, in my judgment, derive no strength from it whatever.

Let me now call the attention of the Senate to the acts of Congress by which this construction of the Constitution is supported, for the purpose of exhibiting the force it derives from legislative precedents.

1. The ordinance of 1787 was recognized by chapter 8, 1st session, 1st Congress. The preamble recites that "it is requisite certain provisions should be made," &c., in order that the said ordinance "may continue to have full effect." There was no division in either house upon its passage. There seems to have been no objection to it. Mr. Madison's name occurs on the journal of the proceedings of the day on which the bill passed the House, of which he was a member. He was doubtless present, and concurred in the measure.

This first precedent which I cite, has all the force of cotemporaneous exposition. It is coeval with the birth of the new government. It may almost be denominated the work of the framers of the Constitution. It is recorded among the earliest acts by which that instrument was put in operation. It is one of the first footsteps by which the movement of the new government is to be traced out of the darkness in which its dawn was enveloped, into the clear, broad sunlight of its stability and strength. The act was signed by General Washington.

That the ordinance was not deemed by its framers, or by the Congress which continued it in force, incompatible with any degree of freedom from restraint, which may be justly claimed as essential to political liberty, is apparent from the terms of the instrument itself. The articles, of which the sixth and last prohibited slavery, were expressly declared to be adopted, "for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide also for the establishment of states, and permanent government therein, and for their admission to a share in the Federal councils on an equal footing with the original states, at as early periods as may be consistent with the general interest."

Several considerations suggest themselves in connection with this subject:

1. Neither the framers of the ordinance nor the first Congress considered the perpetual prohibition of slavery in the northwestern territory inconsistent with the admission of the states to be formed out of it into the Union on "an equal footing with the original states." Neither the actual tenure of slaves, nor the right to hold them, could have been considered essential to the full fruition of the political liberty which the states possessed as members of the Union.

2. The prohibition was not considered inconsistent with the terms of cession of the territory by Virginia in 1784, which required that the states to be formed out of it should be "republican states, and admitted members of the Federal Union, having the same rights of sovereignty, freedom and independence." These rights of sovereignty, freedom and independence therefore, which the members of the Federal Union enjoyed, were by the Congress of the Confederation, and the first Congress, deemed fully possessed, although the right to hold slaves was prohibited. Virginia concurred in passing the ordinance in the Congress of the Confederation in 1787, and in continuing it in force in the first Congress under the Constitution in 1789.

Whatever doubt there may be as to the original validity of the ordinance, I believe its authority has always been respected by responsible tribunals. I will read a decision from the Supreme Court of Louisiana, in the case of *Merry vs. Chexnaider*, 8 Martin's Reports, (new series,) 699:

*"Appeal from the Court of the First District.*

"Porter, J., delivered the opinion of the court. The plaintiff sues in this action to recover his freedom, and from the evidence on record is clearly entitled to it. He was born in the northwestern territory since the enactment of Congress, in 1787, of the ordinance for the government of that country, according to the 6th article of which there could be therein neither slavery nor involuntary servitude. This ordinance fixed forever the character of the population in the region over which it is extended, and takes away all foundation from the claim set up in this instance by the defendant. The act of cession by Virginia did not deprive Congress of the power to make such a regulation.

"It is therefore ordered, adjudged, and decreed, that the judgment of the district court be affirmed with costs."

This decision was pronounced in 1830, and it fully sustains the view of the subject I have taken.

II. On the 7th of April, 1798, an act was passed for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a government in the Mississippi Territory. This act authorized the President to establish therein a government in all respects similar to that in the territory northwest of the Ohio river, excepting the sixth article of the ordinance of 1787. It then prohibited the importation of slaves into the Territory from any place without the limits of the United States. This act was passed ten years (less a few months) before Congress was authorized by the Constitution, to prohibit the importation of slaves into the States which were originally parties to the Federal compact. This provision of the Constitution applied only to the then existing States. It did not extend to the states thereafter to be formed, or

to the Territories of the United States; a fact of the highest importance, if it is to be regarded as a limitation of a vested power.

The exercise by Congress of the power of prohibiting the introduction of slaves into the Mississippi territory from foreign countries appears to have passed without opposition. I find no division in either House on that clause of the bill. This fact shows the undisputed interpretation put at that day on the constitution of the United States in respect to the powers of Congress over every matter of domestic concern in the territory belonging to the United States, and especially over the subject of slavery, the most delicate of all. There was a direct exercise by Congress, in respect to the territories, of a power which was positively prohibited in respect to the states existing at the adoption of the constitution. This act passed under the administration of the elder Adams.

III. At the 1st session of the 6th Congress, chap. 41, laws of 1800, an act was passed to divide the territory belonging to the United States, northwest of the Ohio river, into two separate governments. This act created a territorial government for Indiana, in all respects similar to that provided by the ordinance of 1787 for the government of the northwest territory. This precedent reaffirms the principles contained in the ordinance. The act was signed by the elder Adams.

IV. On the 26th of March, 1804, an act was passed dividing Louisiana into two territories, and providing for the temporary government thereof. All that part of the territory south of the 33d parallel of latitude, now the southern boundary of Arkansas, was erected into the territory of Orleans.

The 10th section of the act had three provisions in respect to slavery in the territory: 1. The importation of slaves, from any place without the limits of the United States, was prohibited; 2. The importation, from any place within the limits of the United States, of slaves imported since the 1st May, 1798, was prohibited; and, 3. The importation of slaves, except by a "citizen of the United States removing into said territory for actual settlement, and being at the time of such removal bona fide owner of such slaves," was prohibited.

When this section was under discussion in the Senate, a motion was made to strike out the last clause, and it was negatived by a vote of 19 to 9. Among the votes in the negative were John Breckenridge and John Brown, of Kentucky; Jesse Franklin, of North Carolina; James Jackson, of Georgia; Samuel Smith, of Maryland; Thomas Sumpter, of South Carolina; William H. Wells and Samuel White, of Delaware; 8 of the 19 from slaveholding states.

The House Journal does not show any opposition to this section. The vote on the final passage of the bill was 66 yeas and 21 nays. Of the latter, only 7—one-third of the whole number—were from slaveholding states.

The territory of Orleans appears to have remained subject to these restrictions.—at least all but the first—until 1812, when it was erected into a state, with the name of Louisiana. At least I can find nothing to the contrary. On the 2d March, 1805, an act further providing for the government of the territory was passed, by which the ordinance of 1787 was applied to it, except the sixth article, prohibiting slavery for ever, and so much of the second paragraph as regulated the descent and distribution of estates. But, by the eighth section of the act, the act of March 26th, 1804, dividing the territory of Louisiana, which was limited in its operations to one year and to the end of the next session of Congress thereafter, was continued in full force until repealed, excepting so far as it was repugnant to the act of 1805.

The restrictions on the importation of slaves were not repugnant to that act, and they must have been continued in operation. I state this fact because it has been supposed and asserted that the act of 1804 was repealed the next year; as though Congress had passed it inconsiderately, and had thus early become convinced of the illegality of the restrictions upon slavery which it contained. But the construction of the act of 1805 is so obvious that the repeal cannot be admitted without judicial interpretations showing it. I find none. On the contrary, I find a decision of the Supreme Court of Louisiana, showing that those restrictions were continued in force. I will read an extract from it to the Senate:

"Formerly, while the act dividing Louisiana into two territories was in force in this country, slaves, introduced here in contravention to it, were freed by operation of law; but that act was merged in the legislative provisions which were subsequently enacted on the subject of importation of slaves into the United States generally." [Gomez vs. Bonneval, 6 Martin's Rep., 656, (Sup. Court of La.) 1819.



The general law referred to, went into operation on the 1st of January, 1808. If, therefore, there was, as this decision shows, a merger in 1808, there could have been no repeal in 1805.

There cannot be a stronger case to show the control Congress has exercised over the subject. Slavery existed in Louisiana when it was ceded to the United States. Congress did not impose any restriction on the tenure of slaves, then held in the territory; that might have impaired vested rights of property under the local law, which the United States had covenanted in the treaty of cession to maintain and protect. But Congress not only proceeded, at once, to prohibit the importation of slaves from foreign countries, but to prohibit their introduction from the states of the Union, excepting when accompanying and belonging to citizens of the United States moving into the territory to become residents. This was to impose restrictions upon its extension, even within the territory in which it existed. It was a direct prohibition of the domestic slave trade. It was an exercise of power, in respect to the territories, which Congress did not possess in respect to the states. It was an anticipation, by four years, of the time at which Congress was authorized to prohibit the importation of slaves into the original states. This act was signed by Jefferson.

V. On the 11th January, 1805, an act was passed establishing the territory of Michigan, with a government "in all respects similar to that provided by the ordinance of Congress, passed on the 13th day of July, 1787, for the government of the territory of the United States, northwest of the river Ohio."

VI. On the 3d February, 1809, a similar government was established for the territory of Illinois. These two last acts also passed under Mr. Jefferson's administration.

VII. On the 4th of June, 1812, an act was passed "providing for the government of the territory of Missouri," and the laws and regulations in force in the district of Louisiana were continued in operation.

VIII. On the 3d March, 1817, a government was formed for the territory of Alabama, and the laws then in force within it as a part of Mississippi were continued in operation. These acts were passed under Mr. Madison.

IX. On the 2d March, 1819, the territory of Arkansas was formed from the territory of Missouri, and a government established for it.

X. On the 6th of March, 1820, the inhabitants of Missouri were authorized to form a constitution and state government, and slavery was prohibited in all that part of the territory of Louisiana north of 36 deg. 30 min. north latitude. In this exercise of legislative power, the greatest latitude is given to the authority claimed under the clause of the Constitution respecting the territory of the United States.

XI. On the 30th March, 1822, an act was passed for the establishment of a territorial government in Florida, containing provisions making it unlawful "to import or bring into the said territory, from any place without the limits of the United States," any slave or slaves.

These three acts were passed under Mr. Monroe's administration.

XII. On the 20th April, 1836, an act was passed "establishing the territorial government of Wisconsin," securing to the inhabitants "the rights, privileges, and advantages" secured to the people of the northwestern territory by the ordinance of 1787, subjecting them to "the conditions, restrictions, and prohibitions," contained in said ordinance, and extending the laws of the United States over them. This act was signed by General Jackson.

XIII. On the 12th June, 1838, a territorial government for Iowa was established, and the laws of the United States extended over it. This act was signed by Mr. Van Buren.

And here, Mr. President, I close this rapid specification of legislative precedents, commencing with the first Congress, and running, with a current of authority uninterrupted and almost unopposed, through more than half a century, down to the present day.

By looking through these acts, it will be found that the power of governing the persons occupying the territory belonging to the United States has been exercised by Congress in almost every form, and for a great variety of purposes, municipal as well as political. Officers have been appointed, their qualifications prescribed, the right of suffrage fixed, limited, and extended, the descent and distribution of estates regulated, courts organized, and their powers defined, personal rights secured, and, in general, the whole power of legislation has been controlled by Congress through the supervision it has retained over the laws passed by the legislative assemblies of the territories.

Let me now see how far this exercise of legislative power has been sanctioned by judicial interpretations. I quote from decisions of the Supreme Court, the highest judicial tribunal in the United States. That court, in reference to the clause of the Constitution, giving Congress power to dispose of, and make all needful rules and regulations respecting the territory belonging to the United States, say:

"The power given in this clause is of the most plenary kind. Rules and regulations respecting the territory of the United States: they necessarily confer complete jurisdiction. It was necessary to confer it without limitation, to enable the new government to redeem the pledge given to the old in relation to the formation and powers of the new States."—*The Cherokee Nation, vs. The State of Georgia*, 5 Peters, 44.

"The term 'territory,' as here used, is merely descriptive of one kind of property, as is equivalent to the word 'lands,' and Congress has the same power over it as over any other property belonging to the United States; and this power is vested in Congress without limitation, and has been considered the foundation upon which the territorial governments rest. In the case of *McCulloch vs. the State of Maryland*, 4 Wheaton, 422, the Chief Justice, in giving the opinion of the court, speaking of this article and the powers of Congress growing out of it, applies it to the territorial governments, and says all admit their constitutionality. And again, in the case of the *American Insurance Company vs. Canter*, 1 Peters, 542, in speaking of the cession of Florida under the treaty with Spain, he says that Florida, until she shall become a state, continues to be a territory of the United States, governed by virtue of that clause in the Constitution which empowers Congress to make all needful rules and regulations respecting the territory or other property of the United States."—*The United States vs. Gratiot et al.*, 14 Peters, 537.

"Perhaps the power of governing a territory belonging to the United States, which has not, by becoming a state, acquired the means of self-government, may result necessarily from the facts that it is not within the jurisdiction of any particular state, and is within the power and jurisdiction of the United States. The right to govern may be the inevitable consequence of the right to acquire territory. Whichever may be the source whence the power is derived, its possession is unquestioned."—*Chief Justice Marshall; The American Insurance Company vs. Canter*, 1 Peters, 542.

I might refer to other decisions of the court, in which the same principle is recognized, though less directly perhaps, but sustaining the same interpretation of the Constitution, and giving validity to the legislative precedents I have cited. Writers on constitutional law, (Rawle, Sergeant, and Story,) concur in this construction. In short, it is believed that no power exercised under the Constitution of such magnitude as that of governing the territories belonging to the United States, has been more uniformly acquiesced in, from the formation of the government to the present day, and in all its departments, legislative, executive, and judicial.

No system of rules would be safe, if its authority could be disputed and overturned, in the face of such comprehensive and long-continued sanctions. Government, law, social and political order would become unstable, uncertain, and worthless, as safeguards either to property or life, if their foundations could be thus sapped and undermined by logical subtlety and refinement—by new versions of the Constitution at war with its ancient interpretations, and running counter to the whole course of the public administration, from the earliest periods of time.

And here, Mr. President, I dismiss the question of power. If, as I think, the affirmative is sustained, something, nevertheless, remains to be considered. A power may be possessed, and yet it may not be right to exert it. Its exercise must be justified by considerations of public or private advantage; it must not work either public or private wrong. I propose to consider it under this aspect.

And, in the first place, I intend to say nothing in regard to private interests, excepting this—that there is no proposition before us to interfere with slavery where it exists—no restriction on the exercise of private or personal rights within the sphere of the local laws under which they arise. The question before us is, whether slaves shall be permitted to be introduced into Oregon, or whether their introduction shall be prohibited. It is a remote territory generally conceded, (though in this I do not concur, as I shall hereafter explain more fully,) as not likely to be occupied by slaves, if they were allowed to be carried there. The fact that it is generally admitted to be unfit for slave labor, must divest the question of all practical infringement of private rights, even in the estimation of those who take extreme views of the subject. I shall therefore consider it only in its bearing upon great public interests.

Mr. President, I consider this question, in the form it has assumed, as involving the extension of slavery. I consider it so under the motion to strike out the 12th section, which substantially prohibits the introduction of slaves into Oregon. But it is made so more particularly by the amendment offered by my friend from Mississippi, (Mr. Davis,) which provides—

“That nothing contained in this act shall be so construed as to authorize the prohibition of domestic slavery in said territory, whilst it remains in the condition of a territory of the United States.”

I understand this as an assertion of the right to carry slaves into Oregon, both against the interference of Congress and the desire of the inhabitants to exclude them. I understand it as maintaining the right to introduce domestic slavery into Oregon. This is extension, and against the wishes of the inhabitants who have prohibited its introduction. Let me, then, present some considerations concerning this whole subject of extension.

Those who oppose the extension of slavery to wider limits, believe that such extension promotes the multiplication of slaves. On the other hand, it is contended that it makes no addition to their numbers, but merely spreads them over a broader surface. This position is believed to be wholly inconsistent with all the received laws of population. The tendency of the human race is to increase in a compound ratio of extent and productiveness of the surface on which it is sustained. The highest possible impulse is given to this increase in an unoccupied country, distinguished for its fertility, and offering certain rewards for the products of labor. This is the character of our own soil. Wherever slave labor can be carried, it will, for a time, be productive. Missouri affords a strong illustration of the truth of this proposition. That State lies wholly north of 36° 30, north latitude, excepting a strip about thirty miles wide on the Mississippi, running down to the thirty-sixth parallel, and yet, though so far north, slavery made rapid progress there after her admission into the Union. By the census of 1820, there were 10,222 slaves; in 1830, 24,820, an increase of one hundred and forty per cent in ten years; and in 1840, 58,240, an increase of one hundred and thirty-five per cent in ten years. For several years, the slave population increased more rapidly than the free. In all new and fertile soils, where the demands for labor are urgent, this will be the inevitable result. The multiplication of the human species is governed by laws as inflexible and certain as those which govern the reproduction of vegetable life. In both the stimulus, whatever it may be, constitutes the law of the increase. I am aware that the ratio of the increase in Missouri, both in respect to the white and the black race, was materially modified by immigration; and to that extent the result is independent of the application of the principle I have stated. But it can hardly be denied that surface, productive surface, is the great element in our extension. It is this alone which has carried the ratio of our increase far beyond that of any other people. If we had been restricted to the area of the thirteen original States, how different would have been the result of our decennial enumerations! The same principle governs the white and the black races. The laws of labor, subsistence, and population, act on both, though not every where with the same intensity.

If these conclusions are just, an enlargement of the surface over which slavery is spread, carries with it, by force of invincible laws, a multiplication of the race held in bondage; in other words, a substantial increase of the number of slaves. Extension in respect to surface is multiplication in point of number. The two propositions cannot be legitimately separated either in reasoning or in practice. In this view of the subject, the extension of slavery is a reproduction of the original responsibility of introducing it; and in this respect it has a moral bearing, to which the great mass of the community cannot be indifferent.

Mr. President, in providing for the government of our territories, while they continue subject to the exclusive regulation of Congress, no view of the subject would be complete which overlooks the part we are performing in the great movement of civilized society, on both sides of the Atlantic. Let us turn our attention to some of the considerations which suggest themselves in connection with this point. It requires no powers of prophecy to foretell that we are destined to spread ourselves over the greater portion of the American continent on this side the great lakes—south to the densely peopled portions of Mexico, and west to the Pacific. Nor is it an idle dream of the imagination to foresee in our political organization, the foundations of an empire increasing more rapidly, and destined to expand to broader limits, than the Roman

Republic: not an empire, like the latter, founded in war, and propagating itself by brute force; but an empire founded in peace, and extending itself by industry, enterprise, and the arts of civilization. Rome, in receiving into her bosom the surrounding population as she conquered them, instructed them in the art of war, and made them the instruments of new aggressions. We receive into ours the surplus population of the old world, to instruct them in the arts of peace, and to accelerate the march of civilization across the western continent.

There is nothing in the history of human society so calculated to exalt it as the spectacle we present—receiving into the bonds of friendship, and admitting to the rights of citizenship, the surplus of the over-peopled and over-governed countries of Europe. These annual additions constitute an element of no inconsiderable force in the ratio of our progression. In the last quarter of a century—about the period we take for a duplication of our numbers—we have received from the United Kingdom of Great Britain and Ireland alone, nearly a million of immigrants; and from continental Europe we have had large additions. These drains on the one hand, and accessions on the other, are not only likely to continue, but to increase in force. A surplus population, provided for by emigration, is certain to be regularly reproduced. Europe, therefore, will not be numerically weakened by these annual drains, even though they should be indefinitely augmented; and every addition to our numbers from abroad renders the force of immigration more intense, by relaxing the ties which bind to their native soil the kindred multitudes left behind.

For an indefinite period, then, we may calculate on large and constantly increasing additions to our population by immigration; and the natural multiplication of our own people, under the impulse of the powerful stimulus contained in a soil of extraordinary fertility, and in the superabundant supply of food, will doubtless maintain our past rate of increase, and give us, at the close of the present century, a hundred millions of inhabitants.

One of the most interesting and important problems, both for the American statesman and philosopher, is to determine of what race or races this vast population shall consist; for on the solution which future generations shall give to it will essentially depend the prosperity of the community or communities they will constitute, and their ability to maintain such a form of government as shall secure to them the blessings of political liberty, and an advanced civilization.

In a general survey of the races by which the earth is peopled, though the varieties are infinite, there are but four grand divisions—the Asiatic, the Caucasian, the Ethiopian, and the Indian. The whole surface of Europe, with some inconsiderable exceptions, is occupied by the Caucasian race—by the descendants of the energetic and independent tribes which, from the shores of the Caspian, have, in different eras, spread themselves over Germany, and western Europe, and laid the foundations of nearly all the civilization the world contains. From this Indo-Germanic or Caucasian race we are ourselves descended; and we are doing for the New World what they did for the Old—spreading ourselves over and subduing it—not, indeed by arms, but by the arts of peace. In whatever portion of Europe emigration to the United States takes its rise, it brings with it homogeneous currents. The same blood fills the veins of all. If shades of difference exist in the intellectual and physical characteristics of the multitudes who come among us, it is to be traced to the influences which diversities of soil, climate, and government have exerted upon them in the different sections of Europe in which their lot has been cast. In the great outlines of this physiognomy, animal and moral, they are identical; and they are distinguishable from all other races by peculiarities not to be mistaken.

I believe it to be in the order of Providence, that the continent of North America, with the exception, perhaps, of some inconsiderable districts, is ultimately to be peopled by the same race which has overspread Europe, and made it what it is in science, in art, in civilization, and in morals. We may, by a misapplication of the means at our command, thwart for a season the divine purpose: we may postpone the consummation of the end we have to accomplish; but the deeply-seated causes which are at work will ultimately triumph over all obstacles. Years, possibly centuries—(and what are centuries in the history of nations and empires?)—I say possibly centuries may be necessary to complete this process; but it must, in the end, be completed.

I believe it may be satisfactorily shown that the free black population in the northern states does not increase by its own inherent force. I doubt whether it is fully re-

produced. In four of the New England States—Vermont, New Hampshire, Rhode Island, and Connecticut—the black population, from 1820 to 1840, materially decreased. In New-York, Massachusetts, and Maine, there was an increase during the same period; but this was doubtless due to the immigration of manumitted blacks from the south, finding their way to the principal commercial states. Without these accessions, the result in these states would probably have been the same as in the four New England States referred to. Under the most favorable circumstances, it is, and must continue to be, an inferior caste in the north. It counts nothing in the estimate, physical or intellectual, of the strength of the body politic. Even where the forms of its admission to the privileges of freemen are complete, it is an excluded class. Let the liberal and the humane do what they may, they cannot change the unalterable law of its destiny. Public opinion at the north—call it prejudice, if you will—presents an insuperable barrier against its elevation in the social scale. My own state has recently, by a majority of about one hundred and thirty thousand votes in two hundred thousand, refused to place blacks on the same footing as whites in the exercise of the elective franchise. Illinois and Connecticut have, I believe, done the same thing by decided votes. A class thus degraded will not multiply. This is the first stage of retrogradation. The second almost certainly follows. It will not be reproduced; and in a few generations the process of extinction is performed. Nor is it the work of inhumanity or wrong. It is the slow but certain process of nature, working out her ends by laws so steady, and yet so silent, that their operation is only seen in their results. I am not sure that this fact is so supported by statistical data that it can be considered settled beyond doubt. If it were, it might solve a great problem in population in the United States—a problem full of consequence and of instruction for our guidance—that manumitted blacks, as a class, do not multiply, and perhaps are not reproduced.

Is it the part of wisdom or humanity to promote the extension or increase of a race, which has its destiny written in characters not to be mistaken or effaced—an extension adding nothing to the public prosperity or strength, and enlarging the basis of human degradation and suffering.

What is the true policy of the country, looking to its rapid growth and to the steady extension of our people over the unoccupied portions of this continent? Sir, there is grave cause for reflection in the unexampled increase of our population by its inherent force, and still more in the vast accessions annually made to our numbers by immigration. The public order and prosperity depend in some degree in giving to these accessions, foreign and domestic, a uniform and homogeneous character. We could not divert the current of immigration if we were disposed to do what every dictate of humanity repels and condemns. It is in the vast and fertile spaces of the West that our own descendants, as well as the oppressed and needy multitudes of the old world must find the food they require, and the rewards for labor, which are necessary to give them the spirit and the independence of freemen. I hold it to be our sacred duty to consecrate these spaces to the multiplication of the white race. Our part is to see, also, as far as in us lies, that this new material is made to conform to the political organization, of which it is to become an integral part. I have always believed this object would be best accomplished by a liberal policy. The Federal Government can do nothing in this respect. The State Governments must do all—rather perhaps by acting upon future generations than the present—by establishing schools, by the removal of restrictions upon the application of labor and capital, and by emancipating industry, under all its forms, from the shackles of privilege and monopoly.

If we were to look to the rapid increase of our own population alone, without reference to external accessions—accessions annually increasing, and with a constantly accelerated force—I should hold it to be our duty to promote, by all just and constitutional means, the multiplication of the white race, and to discourage, as far as we properly can, the multiplication of every other. Reason and humanity, acting within the limits of the constitution, will define the mode and extent of the agency we may exert over our destinies in this respect. With regard to the policy of peopling this continent by the highest race in the order of intellectual and physical endowment, there can be no difference of opinion. No man can hesitate to say whether the condition of this continent, in all that concerns its government, morals, civilization, prosperity, strength, and productiveness, would be most likely to be promoted by peopling it with the race from which we are sprung, or with the descendants of the Ethiop and the Caffre. There may be portions of the southern states in which the climate and objects of cultivation

require the labor of blacks. I pass by all considerations of this character, for an obvious reason. If there are portions of the Union which can only be cultivated by the African race, they are embraced within the territorial boundaries of organized states, over whose domestic condition and relations the federal government has no control. The question concerns only them, and I forbear to touch it. But admitting the necessity of slave labor there, the admission furnishes no argument in favor of the extension of the African race to territories in which no such necessity exists.

The character of the population, by which this continent is to be occupied, is a subject of vital importance to every section of the Union. The strength of the whole is concerned, and with its strength its security from external aggression and intestine disorder and violence. The nearer the great body of our people—those especially who till the earth—approach the same standard in intelligence and political importance, the more likely we shall be to maintain internal tranquillity in peace, and bring to the common support in war the united strength of all.

A degraded class is always, and must be, by force of immutable laws, an element of insecurity and weakness. I will not say that the north is as much interested in this question as the south. But we have a very deep interest in it. Manumitted slaves come to us in considerable numbers. They will continue to do so in spite of any discouragements we may oppose, and without the aid of compulsory legislation on the part of the states in which they are manumitted. All such additions to our numbers are in the highest degree undesirable. They add nothing to our strength, moral or physical; and as we fill up, their tendency is to exclude whites to the extent that they contribute to supply the demand for labor. If the fifty thousand free blacks in New-York were to be withdrawn, their places would be filled by an equal supply of white laborers. Our strength and our prosperity would be proportionably increased by substituting white citizens for a class laboring under civil disqualifications, and excluded, by the force of opinion, from all share in the concerns of government. We desire and need independent, not dependent classes. We have, then, a deep interest in this question, first as a member of the common Union, and next as a community in some respects independent and sovereign. In both relations it concerns our permanent welfare, and we can never consent or contribute—by any act, by inaction, by acquiescence, express or implied—to the extension of slavery to regions in which it does not now exist.

It is generally conceded that there is nothing in the climate or productions of Oregon, which requires the labor of blacks. If this be so, slavery, if introduced, would gradually give way in the competition with free labor. Notwithstanding this inherent tendency in slavery to wear itself out in districts to which it is not indispensably necessary, it will be profitable for a time in new countries where there are lands to be brought under cultivation, and where there is an urgent demand for labor. But for a temporary purpose—with the assurance that it must eventually be eradicated—would it not be unjust and unwise, considering the question in its political bearing alone, to decline to exclude it, and to make the prohibition absolute?

Gentlemen have said this is not a practical question—that slaves will never be taken to Oregon. With all deference to their opinions, I differ with them totally. I believe, if permitted, slaves would be carried there, and that slavery would continue at least as long as in Maryland or Virginia. The Pacific coast is totally different in temperature from the Atlantic. It is far milder. Lines of equal temperature—isothermal lines, as they are technically denominated—traverse the surface of the earth in curves of varied eccentricity in reference to the parallels of latitude. These curves are no where, perhaps, greater than on this continent. In the latitude of Nova-Scotia, which is bound for nearly half the year in fetters of ice, snow on the Pacific does not lie more than three or four weeks. In the valley of the Willamette, above the 45th degree of north latitude—the parallel of Montreal—grass grows the whole winter, and cattle are rarely if ever housed. Green peas are eaten at Oregon city, in the same parallel, at Christmas. Where the corresponding climate to be found on this side of the continent? Where we sit—near the 39th? No, sir, far to the south of us. The latitude of Georgia gives on the Pacific a tropical climate.

When I say this is a practical question, I do not rely on reasoning alone. The prohibition of slavery in the laws of Oregon was adopted for the express purpose of excluding slaves. A few had been brought in; further importations were expected; and it was with a view to put a stop to them, that the prohibitory act was passed.

Shall we, then, refuse to ratify this prohibition? Are we unwilling to extend to

the inhabitants of Oregon a privilege they ask for themselves? Shall we, by our judgment solemnly pronounced here, declare that the territory of Oregon shall be open to the introduction of slaves, unless the people, through their Legislative Assembly, re-enact the prohibition? I might go further, and ask, in reference to a proposed amendment, whether we are prepared to say, against the wishes of the inhabitants, that the introduction of slaves into Oregon shall not be prohibited?

Mr. President, I desire it not to be understood, in putting these inquiries, that I am in favor of leaving to the inhabitants of territories the decision of a question, not only affecting them, but of vital importance to the prosperity of the whole community. I have always regarded it as one of the high duties of the federal government to give direction and shape to the institutions of the inhabitants of a territory while preparing themselves for admission into the Union. This temporary subordination was deemed necessary for the northwest territory, even though settled by the unmixed population of the thirteen original states, trained to self-government and to the exercise of political rights under institutions of the most faultless character. How much more necessary is such a supervision now, when territories are becoming annexed to the Union, inhabited by the most heterogeneous races, and wholly unused to the enjoyment or exercise of rational freedom?

An honorable senator from North Carolina, (Mr. Badger,) denominated this submission of power to the inhabitants of the territories a republican measure, or as in accordance with the genius of our republican institutions. Sir, it was not so considered in former times—in the earlier and better days of the republic. Let me state some historical facts touching this question.

In 1805, an act was passed for the government of the territory of Orleans. While the bill was under discussion in the Senate, certain amendments were offered, the effect of which would have been to give the inhabitants of the territory of Orleans the management of their own domestic concerns, uncontrolled by Congress. The Journal of the Senate does not show by whom the amendments were offered, but on searching the records of that period, I find the manuscript copy endorsed, "Mr. Tracy's motion to amend bill." I think this may be regarded as the original, to which subsequent attempts to emancipate the territories from the control of the Federal Government, before they have the population necessary to give them a representation in Congress, may be referred. Whatever the doctrine may be considered at the present day, it derived little support from republican sources then. It was brought forward by Mr. Tracy, an able and respectable federalist from Connecticut.

On the division, which was called on his motion to strike out for the purpose of inserting his amendments, it received but eight votes, including his own. They were given by Timothy Pickering and John Quincy Adams, of Massachusetts; Uriah Tracy, the mover, and James Hillhouse, of Connecticut; James A. Bayard and Stephen White, of Delaware; Simeon Olcott, of New Hampshire; and James Jackson, of Georgia. With the exception of Mr. Jackson, all these gentlemen were Federalists, for it was not until several years later that Mr. Adams acted with the Republican party. Some of them were among the brightest ornaments of the Federal party of that day, both in respect to talents and private character, and all were strenuous opponents of Mr. Jefferson's administration. Against these eight ayes were twenty-four noes, given by the great body of Mr. Jefferson's supporters and some of his opponents. Among the former were Baldwin, of Georgia, Giles, of Virginia, and Smith, of Maryland. The supporters of the measure were, with one exception, Federalists, and opponents of Mr. Jefferson's administration. Its opponents were chiefly Republicans, and supporters of his administration.

At the same session of Congress memorials were presented to both Houses of Congress from the inhabitants of the Territory of Orleans, and from the District of Louisiana. The former prayed to be admitted immediately into the Union, and insisted that they had a right to such admission under the treaty of cession. The latter asked for a Territorial Government; the whole Territory, or District of Louisiana, as it was called, lying north of the 33d parallel of latitude, having been virtually subjected, in respect to the administration of its legislative, executive, and judicial powers, to the Governor and Judges of the Indiana Territory. In both cases the inhabitants prayed for the privilege of importing slaves. These memorials were referred, in the House of Representatives, to a Committee, of which Mr. John Randolph was Chairman.

On the 25th of January, 1805, Mr. Randolph made a report, which will be found at

page 417 of vol. 20, American State Papers, printed by Gales & Seaton, concluding with a resolution, "that provision ought to be made by law, for extending to the inhabitants of Louisiana the right of self-government." This resolution was agreed to, on the 28th of January, without a division.

Mr. Randolph's report, while asserting that "every indulgence, not incompatible with the interests of the Union," should be extended to the inhabitants of Louisiana, and while declaring that the object of the Committee was "to give to Louisiana a government of its own choice, administered by officers of its own appointment," maintained at the same time, that in "recommending the extension of this privilege to the people of that country, it [was] not the intention of the Committee that it should be unaccompanied by wise and salutary restrictions. Among these may be numbered a prohibition of the importation of foreign slaves, equally dictated by humanity and policy, [here follows an enumeration of other restrictions,] to which may be added, (for further security,) that such of the laws as may be disapproved by Congress, within a limited time after their passage, shall be of no force and effect."

The report of Mr. Randolph asserts, to the full extent, the right of Congress to provide for the government of the Territories, to impose on them such restrictions as were demanded by the interests of the Union, and to prohibit the introduction of slaves from foreign countries, as a measure of humanity and policy.

Such was the action of the two Houses of Congress on this subject, involving the question of yielding to the inhabitants of Territories the control of their own domestic affairs, and exempting their legislation from the supervisory and repealing power of Congress. If we regard it as a party measure, all the republican sanctions of that day were against it. And if we consider it as a political question, to be determined, with regard to its complexion, by a reference to the genius of our institutions, it is singular that those who were most deeply imbued with the spirit of republicanism should have been arrayed against it.

Let me now examine for a moment the question immediately before us. A motion is made to strike out the 12th section of this bill. The section provides, 1st, That "the inhabitants of the said Territory shall be entitled to all the rights, privileges and immunities heretofore granted and secured to the Territory of Iowa, and to its inhabitants."

2d. That "the existing laws now in force in the Territory of Oregon, under the authority of the provisional government established by the people thereof, shall continue to be valid and operative therein, so far as the same be not incompatible with the provisions of this act; subject, nevertheless, to be altered, modified, or repealed by the Governor and Legislative Assembly of the said Territory of Oregon."

3d. That "the laws of the United States are hereby extended over, and declared to be in force in said Territory, so far as the same, or any provision thereof, may be applicable."

In order to see what rights, privileges, and immunities the people of Oregon are to acquire, we must refer to the act organizing the Territory of Iowa. The 12th section of this act provides, "that the inhabitants of the said Territory shall be entitled to all the rights, privileges and immunities heretofore granted and secured to the Territory of Wisconsin and its inhabitants," &c.

We must next have recourse to the act organizing the Territory of Wisconsin. The 12th section of this act provides, "that the inhabitants of the said Territory shall be entitled to, and enjoy all and singular the rights, privileges and advantages granted and secured to the people of the Territory of the United States northwest of the river Ohio, by the articles of the compact contained in the ordinance for the government of the said Territory, passed on the 13th day of July, 1787; and shall be subject to all the conditions, and restrictions and prohibitions in said articles of compact imposed upon the people of the said Territory."

It will be seen that there is an essential difference in the language of the two sections. The 12th section of the act organizing the Territory of Iowa secures the rights, privileges and immunities secured to the Territory of Wisconsin and its inhabitants, including the ordinance of 1787; but it does not expressly impose the conditions, restrictions, and prohibitions contained in that ordinance. Now, I suppose the exclusion of slavery from the Northwest Territory by the ordinance is to be referred rather to the class of restrictions and prohibitions than to that of privileges and immunities. Under such a construction of the act, slavery would not have been excluded from Iowa by the 12th section of the act establishing a government for that Territory, nor would it be ex-



cluded from Oregon by that portion of this bill which secures to the inhabitants "the rights, privileges and immunities heretofore granted and secured to the Territory of Iowa and its inhabitants."

I know there is a difference of opinion in respect to the true construction of the 12th section of the act organizing a government for the Territory of Iowa. The Senator from Maryland, [Mr. Johnson,] whose legal opinions are entitled to great weight, is of opinion that the slavery restrictions contained in the 12th section of the act organizing a Territorial Government for Wisconsin, from which Territory Iowa was taken, are embraced in the 12th section of the act establishing a government for the latter. The Senators from North Carolina and Georgia [Mr. Badger and Mr. Berrien] consider the conditions, prohibitions and restrictions imposed by the ordinance of 1787 on the one hand, and the rights, privileges and advantages secured on the other, as distinct, substantive propositions, of which the latter only are embraced in the 12th section of the last named act. And although I will not undertake to decide between them, I confess this seems to me the most reasonable construction. Practically, this question was of no importance as to Iowa, as slavery was excluded from that territory, which was a part of Louisiana, by the Missouri compromise.

Let us now look at the next provision of this section, which I consider the most important. It declares that the laws now existing in Oregon shall continue to be valid and operative, &c.

One of these laws contains a prohibition of slavery. I will read it. It is article one, section four, of the organic laws of Oregon:

"There shall be neither slavery nor involuntary servitude in said Territory, otherwise than for the punishment of crimes, whereof the party shall be duly convicted."

This prohibition is adopted by the section I am considering; and the exclusion of slavery will, for the time, be as complete as though it were expressly prohibited by an adoption of the amendment offered by the Senator from New Hampshire, and subsequently withdrawn by him. That amendment subjected the Territory of Oregon to the restrictions and prohibitions of the ordinance of 1787. It would have been a perpetual exclusion of slavery; and in this respect it differs from the 12th section as it stands. For instance: under this section the inhabitants of Oregon might rescind or repeal the law prohibiting slavery: this act of repeal would go into immediate effect, and slaves could be introduced into the Territory. The 6th section, however, provides that all laws passed by the Governor and Legislative Assembly shall be submitted to Congress, and, if disapproved, shall be void and of no effect. If such an act of repeal should be passed, it would bring the question again before Congress for its approval or disapproval. Such an act is certainly very unlikely to be passed by the legislative authority of the Territory. Still, the positive prohibition contained in the ordinance of 1787 is preferable, as making a final disposition of the question; and it is in accordance with the whole legislation of the country in respect to Territories situated like this. I shall, therefore, at the proper time, unless some other Senator does so, offer an amendment to that effect.

I regret exceedingly, Mr. President, to have taxed the patience of the Senate so long; but I believed I was performing a duty to high principles, and to the State I have, in part, the honor to represent; and no consideration could induce me to shrink from the performance of it.

Before I conclude, I desire to state some positions which I took last winter, in discussing what was termed the three million bill. I thought then, and I think still, that they constitute the only practical and reasonable basis for the settlement of this question. They were these:

1. All external interference with slavery in the States is a violation of the compromises of the Constitution, and dangerous to the harmony and perpetuity of the Federal Union.

2. If territory is acquired by the United States, it should, in respect to slavery, be received as it is found. If slavery exists therein at the time of the acquisition, it should not be the subject of legislation by Congress. On the other hand, if slavery does not exist therein at the time of the acquisition, its introduction ought to be prohibited while the territory continues to be governed as such.

3. All legislation by Congress, in respect to slavery in the territory belonging to the United States, ceases to be operative when the inhabitants are permitted to form a State Government; and the admission of a State into the Union carries with it, by force of the sovereignty such admission confers, the right to dispose of the whole question of slavery at its discretion, without external interference.

These positions were in substantial accordance, as I supposed, with the declared opinions of the Legislature of New-York ; and they have been recently re-affirmed, so far as the exclusion of slavery from territory in which it does not now exist is concerned.

I believe this to be the only just, equal, and reasonable basis on which this question can be amicably settled. Such a result may be hopeless. Extreme views on both sides may defeat all adjustment of it on friendly terms. If so, I shall have the consolation of reflecting that while my own opinions lie between those extremes—while they have been advanced, as I trust, in language no one can deem offensive, they have been maintained with a steadiness which ought always to accompany settled convictions of right and duty.

Mr. President, I conclude by saying for New-York, as I think I am authorized to say by her legislative resolutions, that while she will adhere steadfastly to all the compromises of the Constitution, and while she will resist all interference with slavery in the States as unauthorized and disorganizing, she will never consent to its extension to territory in which it does not now exist, and especially where it is now prohibited. On the contrary, she will, in every constitutional mode, oppose all such extension, as of evil tendency in government, wrong in itself, and repugnant to the humanity and civilization of the age.

#### SYNOPSIS OF SENATOR DIX'S SPEECH ON THE COMPROMISE BILL.

The speech of Senator Dix, made in the Senate of the United States on the 26th of July, 1848, on the bill to establish territorial governments in Oregon, New Mexico, and California, if less compact and formal as a severely logical argument, is perhaps more brilliant than the preceding. It was called forth by pointed allusions of Senator Butler, of South Carolina, to Mr. Dix, in connection with the suggestion of a superior civilization of the north over the south, and by imputations cast upon the State of New-York.

1st. It sets forth the decided and highly honorable course of the State of New-York, during the financial difficulties of the Union in 1837, in the last war with Great Britain, in the late Mexican war, and her liberality and progress in social and general improvement.

2nd. It meets a charge upon the north connected with the application of the principles of the ordinance of 1787. It refutes this by showing, first, that the spontaneous movement of the free states in 1846 and '47, by which the majority of their Legislatures passed resolutions against the extension of slavery, arose simply out of indications in Congress that territory would be acquired and left open to slavery ; and, secondly, taking a larger view of the whole subject, it shows the extent of concession which has already been made by the north ; that there are ten Senators now in Congress representing slave territory acquired since the adoption of the constitution, and equal in surface to two-thirds of the original thirteen states, and not one representing free territory so acquired. It then states the three compromises of the Constitution, and the security the south sought in them at the time they were made.

3d. It presents the unanimous opinion of President Monroe's Cabinet (Mr. Calhoun included in it) sustaining the right of Congress to prohibit slavery in the Territories, by a quotation from John Quincy Adams' diary, and a letter in the handwriting of Mr. Monroe in 1820.

4th. It shows that the Southern states, in their Conventions adopting the Constitution, looked only to the security of slavery as it was, and never thought of extension ; and yet the slave population has increased from six hundred thousand to three millions. And more ; that Madison would not consent to admit into the Constitution even the idea\* of property in man.

\* They would not admit even the word "slavery" or "servitude" into that instrument

5th. It shows that the North have generally used an edition of the English commentator "Blackstone," edited by St. George Tucker, of Virginia, which denies that slavery rests upon the law of nations, upon captivity, or upon the civil law, and that Virginia had heretofore acted in accordance with these sentiments; that she did so in the principles of her constitution, and yet her Senator now advocates an extension of the evil.

6th. It meets, on their own grounds, the claim of the South for an equal division of the territory recently acquired, between slavery and freedom, by a clear account of the conditions and expense by which Florida and Texas came into the Union, and were wholly given up to slavery, a division not even being asked.

7th. It meets the futile accusation of the South, that the North are attempting to surround and hem in their slaves till they perish.

8th. It examines the provisions of this bill, showing that it contains but two direct references, and one indirect reference to slavery; the first prohibiting New Mexico and California from legislating on the subject,—the second making the prohibition of slavery in Oregon operative for three months only. It shows that this bill leaves the great country of New Mexico and California fully open to slavery, while it concedes only the boon of three months' freedom in Oregon. It denies, as entirely unsound, the position that there is any part of all these countries in which slave labor is indispensable, on account of climate. It quotes and denounces the position of Mr. Clayton in his exposition of the bill, that the question would be settled in this bill, by the silent operation of the Constitution, and that the country would be slaveholding only where the laws of nature require it; and declares it an *entire* abandonment of the Northern ground.

This admirable and eloquent speech concludes by meeting other accusations, and further exposing the fraud of this bill upon the North, by showing the utter futility of hoping for, or even desiring a bow of promise in a new Missouri compromise, and by showing that the whole scheme of such a division was wrong—geographically, politically, morally.

The speech of Mr. Webster, which follows, though not of a class formally logical, but rather a concise statement of several classes of facts, and suggesting the truth or duty inevitably connected with their existence, is nevertheless, for the space it occupies, one of the most clear, comprehensive, and able speeches of the late session of Congress.

#### MR. WEBSTER'S SPEECH ON THE OREGON BILL.

*Delivered in Senate, on Saturday evening, August 12.*

[Reported by Dr. Houston, stenographer to the Senate.]

The question being on the motion of Mr. Benton, that the Senate recede from its amendment, to which the House had refused to agree—

MR. WEBSTER said: I am very little inclined to prolong this debate, and I hope utterly disinclined to bring into it any new warmth or excitement. I wish to say a few words, however—first, upon the question as it is presented to us as a parliamentary question; and secondly, upon the general political question involved in this debate.

As a question of parliamentary proceeding, I understand the case to be this: The House of Representatives sent us a bill for the establishment of a territorial Government in Oregon; no motion has been made in the Senate to strike out any portion of that bill. The bill purporting to respect Oregon, simply and alone, has not been the subject of any objection in this branch of the legislature.

The Senate has proposed no important amendment to this bill affecting Oregon itself; and the honorable member from Missouri (Mr. Benton) was right, precisely right, when he said that the amendment now under consideration had no relation to Oregon. That is perfectly true; and therefore the amendment which the Senate has adopted and the House has disagreed to, has nothing in the world to do with Oregon,

but respecting the newly acquired territories of California and new Mexico. It wishes now to make a line of slavery for those new territories. The amendment says that this line of the "Missouri compromise" shall be the line to the Pacific; and then goes on to say, in the language of the bill as it now stands, that the ordinance of '87 shall be applicable to Oregon; and therefore, I say, that the amendment proposed is foreign to the immediate object of the bill. It does nothing to modify, restrain or affect, in any way, the government which we propose to establish over Oregon, or the condition or character of that government, or the people under it. In a parliamentary view, this is the state of the case.

Now, sir, this amendment has been attached to the bill by a strong majority of the Senate. That majority had the right, as it had the power, to pass it. The House disagreed to that amendment. Well, if the majority of the Senate who attached it to the bill are of opinion that a conference with the House will lead to some adjustment of the question, by which this amendment, or something equivalent to it, may be adopted by the House, it is very proper for them to urge a conference. It is very fair, quite parliamentary, and there is not a word to be said against it. But my position is that of one who voted against the amendment—who thinks that it ought not to be attached to this bill, and therefore I naturally vote for the motion to get rid of it—that is to "recede."

So much for the Parliamentary question. Now, there are two or three questions arising in this case which I wish to state dispassionately—not to argue, but to state.

The honorable member for Georgia, (Mr. Berrien,) for whom I have great respect, and with whom it is my delight to cultivate personal friendship, has stated, with great propriety, the importance of this question. He has said that it is a question interesting to the South and to the North, and one which may very well also attract the attention of mankind. He has not stated all this too strongly. It is such a question. Without doubt, it is a question which may well attract the attention of mankind. On the subjects involved in this debate the whole world is not now asleep. It is wide awake; and I agree with the honorable member, that if what is proposed to be done by us, who resist this amendment, is, as he supposes, unjust and injurious to any portion of this community, that injustice should be presented to the civilized world, and we, who concur in the proceedings, ought to submit ourselves to its rebuke. I am glad that the honorable gentleman proposes to refer this question to the great tribunal of modern civilization, as well as the great tribunal of the American people. It is proper. It is a question of magnitude enough—of interest enough—to all the civilized nations of the earth, to call from those who support one side or the other a statement of the grounds upon which they act.

Now, I propose to state, as briefly as I can, the grounds upon which I proceed, historical and constitutional; and will endeavor to use as few words as possible, so that I may relieve the Senate from hearing me at the earliest possible moment.

In the first place, to view the matter historically:—This constitution, founded in 1787, and the government under it, organized in 1789, does recognize the existence of slavery in certain states, then existing in the Union; and a particular description of slavery. I hope that what I am about to say, may be received without any supposition that I intend the slightest disrespect. But this particular description of slavery does not, I believe, now exist in Europe, nor in any other civilized portion of the habitable globe. It is not a predial slavery. It is not analogous to the case of the *predial* slaves, or slaves *gleba adscripti*, of Russia or Hungary, or other states. It is a peculiar system of personal slavery, by which the person who is called a slave is transferable as a chattel, from hand to hand. I speak of this as a fact. And that is the fact; I will say farther—perhaps other gentlemen may remember the instances—that although slavery, as a system of servitude attached to the earth, existed in the various countries of Europe, I am not at the present moment aware of any place on the globe, in which this property of man in a human being, as a slave transferable as a chattel, exists, except in certain states of this Union and the West India islands. Now, that existed at the formation of this constitution, and the framers of that instrument, and those who adopted it, agreed that, as far as it existed, it should not be disturbed, or interfered with by the new general government. There is no doubt of that.

The constitution of the United States recognizes it as an existing fact—an existing relation between the inhabitants of the Southern States. I do not call it an "institution," because that term is not applicable to it; for that seems to imply a voluntary es-

tablishment. I have been here so long that when I first came here it was a matter of reproach to England, the mother country, that slavery had been entailed upon the colonies against their consent, and that which is now considered a cherished "institution," was then regarded as, I will not say an entailed evil, but an entailment on the colonies by the policy of the mother country, against their wishes. At any rate, it stands upon the Constitution. The Constitution was adopted in 1788, and went into operation in 1789. When it was adopted the state of the country was this; Slavery existed in the Southern States; there was a very large extent of unoccupied territory—the whole North-west—which it was understood was to be formed into States; and it was then determined that no slavery should exist in this territory north-west of the Ohio.

I gather now, as a matter of inference from the history of the time, and the history of the debates, that the prevailing motives of the North for agreeing to this recognition of the existence of slavery in the Southern States, and giving a representation to those States, founded in part upon their slaves, was based upon the supposition that no acquisition of territory was made to form new States on the Southern frontier of this country, either by cession or conquest. It is plain that taking the history of the times, together with the reason why the slave representation was allowed, was that since the North-west territory was destined by ordinance to be free, and since nobody looked to any acquisition by conquest or cession for the creation of slave States at the South, there was an insisting on the part of the South to suffer slavery where it did exist, and to be represented according to the principles and provisions of the Constitution, inasmuch as it was limited by those two considerations: First, that there was to be no slavery in the territories; and second, that there was not the least anticipation of the acquisition of any new territory. And now, Sir, I am one who, understanding that to be the purpose of the Constitution, mean to abide by it.

There is another principle, equally clear, by which I mean to abide, and that is, that in the Convention and in the first Congress, when appealed to on the subject by petitions, and all along in the history of this government, it was and has been a conceded point that slavery, in the States in which it did exist, was a matter of State regulation exclusively, and that Congress had not the least power over it, or right to interfere with it. Therefore I say that all agitations and attempts to disturb the relations between master and slave, by persons not living in the slave States, are unconstitutional in their spirit, and are, in my opinion, productive of nothing but evil and mischief. I countenance none of them. The manner in which the governments of those States where slavery exists are to regulate it, is for their own consideration, under their responsibility to their constituents, to the general laws of propriety, humanity, and justice, and to God.

Associations formed elsewhere, springing from a feeling of humanity, or any other cause, have nothing whatever to do with it. They have never received any encouragement from me, and they never will. In my opinion, they have done nothing but to delay and defeat their own professed objects. I have stated, as I understand it, the state of things upon the adoption of the Constitution of the United States. What has happened since? Sir, it has happened that above and beyond all contemplation or expectation of the original framers of the Constitution, foreign territory has been acquired by cession, first from Spain and then from France, on our Southern frontier. And what has been the result of that? Five slave-holding States have been created and added to the Union; bringing ten Senators into this body, (I include Texas, which I consider in the light of a foreign acquisition also,) and up to this hour when I address you, not one free State has been admitted into the Union from all this acquired territory—not one.

Mr. Berrien (in his seat)—Yes—Iowa.

Mr. Webster—Iowa is not yet in the Union. Her Senators are not here. When she comes in, there will be one to five—one free state to five slave formed out of new territories. Now, it seems strange to me that there should be any complaint of injustice exercised by the North toward the South. Northern votes have been necessary, they have been ready, and they have been rendered to aid the formation of these five new slaveholding states. These are facts; and as the gentleman from Georgia has very properly put it as a cause in which we ought to present ourselves before the world for its judgment, let us now see how we stand. I do not represent the North. I state my own case; and present the matter in that light in which I am willing, as an individual member of Congress, to be judged by civilized humanity. I say, then, that according to true honesty, the slaveholding interest in this country has not been a disfavored interest; it has not been disfavored by the North. The North has concurred to bring

in these five slaveholding states out of newly acquired territory; which acquisitions were never at all in the contemplation of the convention which formed the constitution, or of the people when they agreed that there should be a representation of three-fifths of the slaves in the then existing states.

Mr. President, what is the result of this? We stand here now—at least I do, for one—to say that considering there have been already five new slaveholding states formed out of newly acquired territory, and one only at most non-slaveholding state, I do not feel that I am called on to go further; I do not feel the obligation to yield more. But our friends of the South say, You deprive us of all our rights—we have fought for this territory, and you deny us participation in it. Let us consider this question as it really is; and since the honorable gentleman from Georgia proposes to leave the case to the enlightened and impartial judgment of mankind, and as I agree with him that it is a case proper to be considered by the enlightened part of mankind, let us consider how the matter in truth stands.

What is the consequence? Gentlemen who advocate the case which my honorable friend from Georgia with so much ability sustains, declare that we invade their rights; that we deprive them of a participation in the enjoyment of territories acquired by the common services and common exertions of all. Is this true? How deprived? Of what do we deprive them? Why, they say that we deprive them of the privilege of carrying their slaves, as slaves, into the new territories. Well, sir, what is the amount of that? They say that in this way we deprive them of the opportunity of going into this acquired territory with their property. Their "property"—what do they mean by that? We certainly do not deprive them of the privilege of going into these newly acquired territories with all that, in the general estimate of human society, in the general and common and universal understanding of mankind, is esteemed property. Not at all. The truth is just this: They have in their own states peculiar laws, which create property in persons. They have a system of local legislation on which slavery rests; while every body agrees that it is against natural law, or at least against the common understanding which prevails as to what is natural law.

I am not going into metaphysics, for therein I should encounter the Hon. member from South Carolina, and we should wander "in endless mazes lost" until after the time for the adjournment of Congress. The Southern states have peculiar laws, and by those laws there is property in slaves. This is purely local. The real meaning, then, of Southern gentlemen, in making this complaint, is that they cannot go into the territories of the United States carrying with them their own peculiar law—a law which creates property in persons. This, according to their own statement, is all the ground of complaint they have.

Now here, I think, gentlemen are unjust toward us. How unjust they are, others will judge—generations that will come after us will judge. It will not be contended that this sort of personal slavery exists by general law. It exists only by local law. I do not mean to deny the validity of that local law where it is established; but I say it is, after all, nothing but local law. It is nothing more. And wherever that local law does not extend, property in persons does not exist. Well, sir, what is now the demand on the part of our Southern friends? They say: We will carry our local laws with us wherever we go. We insist that Congress does us injustice unless it establishes, in the territory into which we wish to go, our own local law." This demand I, for one, resist, and shall resist. It goes upon the idea that there is an inequality, unless persons under this local law, and holding property by authority of that law, can go into new territory and there establish that local law, to the exclusion of other law.

Mr. President, it was a maxim of the civil law that, between slavery and freedom, freedom should always be presumed and slavery must always be proved. If any question arose as to the *status* of an individual in Rome, he was presumed to be free until he was proved to be a slave. So, I suppose, is the general law of mankind. An individual is presumed to be free until a law can be produced which creates ownership in his person. I do not dispute the force and validity of the local law, as I have already said; but, I say, it is a matter to be proved; and, therefore, if individuals go into any part of the earth it is to be proved that they are not freemen, or else the presumption is that they are. Now, our friends seem to think that an inequality arises from restraining them from going into the territories, unless there be a law provided which shall protect their ownership in persons. The assertion is, that we create an inequality. Is there nothing to be said on the other side in relation to inequality?

Sir, from the date of this constitution, and in the councils that formed and established this constitution, and I suppose in all men's judgment since, it is received as a settled truth, that slave labor and free labor do not exist well together. I have before me a declaration of Mr. Mason, in the convention that formed the constitution, to that effect. He says that the objection to slave labor is that it puts free white labor in disrepute; that it makes labor to be regarded as derogatory to the character of the free white man, and that he despises to work—to use his expression—where slaves are employed. This is a matter of great interest to the free states; if it be true, as to a great extent it certainly is, that wherever slave labor prevails free white labor is excluded or discouraged. I agree that slave labor does not necessarily exclude free labor, totally. There is free white labor in Virginia, Tennessee, and other states. But it necessarily loses something of its respectability by the side of, and when associated with, slave labor. Wherever labor is mainly performed by slaves, it is regarded as degrading to free men. The free men of the North, therefore, have a deep interest to keep labor free, exclusively free, in the new territories.

But, sir, let us look farther into this alleged inequality. There is no pretence that Southern people may not go into territory which shall be subject to the ordinance of 1787. The only restraint is that they shall not carry slaves thither and continue that relation. They say this shuts them altogether out. Why, sir, there can be nothing more inaccurate in point of fact than this. I understand that one half the people who settled Illinois are people, or the descendants of people, who came from the Southern states. And I suppose that one third of the people of Ohio are those, or the descendants of those, who emigrated from the South; and I venture to say that in respect to those two states, they are at this day settled by people of Southern origin in as great a proportion as they are by people of Northern origin, according to the general numbers and proportion of the people, South and North. There are as many people from the South in proportion to the whole people of the South, in those states, as there are from the North, in proportion to the whole people of the North. There is, then, no exclusion of Southern people; there is only the exclusion of a peculiar local law. Neither in principle nor in fact is there any inequality.

The question now is, whether it is not competent to Congress, in the exercise of a fair and just discretion, to say that, considering that there have been five slaveholding states added to this Union out of foreign acquisitions, and as yet only one free state, whether under this state of things it is unreasonable and unjust in the slightest degree to limit their farther extension.—That is the question. I see no injustice in it. As to the power of Congress, I have nothing to add to what I said the other day. I have said that I shall consent to no extension of the area of slavery upon this continent, nor any increase of slave representation in the other house of Congress.

I have now stated my reasons for my conduct and my vote. We of the North have gone in this respect already far beyond all that any Southern man could have expected, or did expect, at the time of the adoption of the constitution. I repeat the statement of the fact, of the creation of five new states out of newly acquired territory. We have done that which, if those who framed the constitution had foreseen, they never would have consented to slave representation. We have yielded thus far; and we have now in the House of Representatives twenty persons voting upon this very question, and upon all other questions, who are there only in virtue of the representation of slaves.

Let me conclude, therefore, by remarking, that while I am willing to present this as presenting my own judgment and position, in regard to this case—and I beg it to be understood that I am speaking for no other than myself—and while I am willing to present this to the whole world as my own justification, I rest on these propositions: First, That when this constitution was adopted, nobody looked for any new acquisition of territory to be formed into slaveholding states. Secondly, That the principles of the constitution prohibited, and were intended to prohibit, and should be construed to prohibit, all interference of the general government with slavery, as it existed, and as it still exists, in the states. And then, that, looking to the effect of these new acquisitions, which have in this great degree inured to strengthen that interest in the South by the addition of these five states, there is nothing unjust, nothing of which any honest man can complain, if he is intelligent; and I feel there is nothing which the civilized world, if they take notice of so humble a person as myself, will reproach me with, when I say, as I said the other day, that I had made up my mind, for one, that under no circumstances would I consent to the farther extension of the area of slavery in the United States, or to the farther increase of slave representation in the House of Representatives.

We have now presented four classes of facts, all of which have a direct bearing on the duty of each voter in the Presidential election before us. The two moral questions stated, viz :—*That we are asked to renounce the principles of our forefathers, and henceforth proclaim slavery a blessing to the country ; that we are also called upon to extend it over territories now free to an extent which will forever link it with our existence as a republic*, are inevitably connected with the issue. These are the great—in truth almost the only questions involved. To deny it is virtually to affirm the justice of these demands, and to call the Wilmot proviso and the ordinance of '87, the mere offspring of unprincipled factions. But deny it, evade it, or reason it away by every form of sophistry, as men may, the great contest, is now and hereafter, *to affirm*, or forever and absolutely *to deny*, the right of these demands. They touch the duty of every American citizen who is worthy the name ; for they strike at the very heart of the great Charter of American rights. Assented to, and the principles which lie at the foundation and form the pillars of this republic are subverted ; denied, and its Charter of rights receives seven-fold strength, and our principles and name are alike pure in the eyes of the world. These are the moral questions and the results to which they tend.

The facts presented shed light upon the path of our duty ; they press home upon every American, the measure of his obligation. The struggle in Europe for constitutional freedom, the seeds whereof we have scattered ; the history of this confederacy, and its sacredness as a model to the world ; the history of our legislation on the subject of slavery, while this model has passed through the crucible of its severest trial ; and more especially, the extraordinary facts of our late history—link our duty in this crisis, with all that is dear in our civil or social existence as a free people. If sincere in our sympathy with the down-trodden of the old world ; if the American government is a model, except in name : if there be any value in the principles of our forefathers, the duty of every one, possessing the sacred right of suffrage, is not only plain in the coming contest, but in the light of this entire range of fact, is pressed home, with unwonted power.

Three candidates are before us—CASS, TAYLOR, and VAN BUREN. The history of the first nomination we have already given. The public life and character of this nominee are before the country. It has before it, also, the ground on which he now stands. The ordinance of '87 and the territorial government of Michigan had one and the same origin. Of the latter Lewis Cass was nearly eighteen years the administrator. For this service he received from the public Treasury upwards of ninety thousand dollars, and yet, as a part of the ground on which he asks our suffrages for the highest office in the nation, is, that the



power which created that glorious ordinance of '87, was not delegated to our fathers, but, by them, violently implied or assumed; that the exercise of this same power is, therefore, now unconstitutional; and that the free territory of the boundless west, should be opened to slavery, or not, as its own people or the south may desire. Stripped of their disguises, these are his principles. Slavery ever has been and will be carried where it is not prohibited. This is matter of history. This platform then yields all for which we are contending. Its first principle, the denial of the power of the national government over persons in its territory, is clearly and fully affirmed. If this be true, every other principle is conceded, and the entire claim of the South is yielded. To vote for Lewis Cass is to vote for this concession; it is to vote the Declaration of Independence, and all our past legislation false in principle and practice.

The second nominee is General Zachary Taylor. As with Gen. Cass, it is with his principles and public character, and not with his private life that we have to do. And in respect to the former how does he stand? Born and bred a slaveholder; still one of the largest slaveholders of the south, and identified with all the interests of slavery; a man, on whom the south are willing to rely in the defence of their right to extend slavery over all our free territory; one, who is confessedly inexperienced in civil affairs and declares that he has never voted: one, who studiously avoids all allusion to this great question before us, while he has written nearly forty letters, chiefly in explanation of his position as a candidate for the Presidency. Of his qualifications in a civil point of view—

We know, says Daniel Webster, that however respectable and distinguished in the line of his own profession, or however estimable as a citizen, General Taylor is a military man merely. He has had no training in civil affairs—he has had no participation in the councils of the Republic—he is known only by his brilliant achievements at the head of an American army. Now the Whigs of Massachusetts, and I among them, are of the opinion that it was not wise, not discreet, to go to the army for our candidate for the Presidency. This is the first instance in the history of the Government of the United States, that any mere military man has been proposed for that office. Washington was an eminent military man, but far greater in his civil character—he was employed in the service of the country from the earliest dawn of the American revolution—he was a member of the Continental Congress—and, in that body, established for himself a great reputation for civil judgment, wisdom and ability. After the war, as you know, he was one of the Convention which formed the Constitution of the United States, and it is one of the most honorable tributes ever paid to him that he should have been selected by the wise men who composed that Convention, to preside over their deliberations. And his name stands first and foremost appended to the Constitution under which we live. President Harrison was bred a soldier, and rendered his country important military services. But General Harrison, nevertheless, was for a much greater part of his life in civil than in military service. He was for twenty years either the Governor of a Territory, a Member of Congress, or a Minister abroad. And he performed his duties in all these stations to the satisfaction of the people. This case, therefore, stands by itself, without a precedent in our previous history.

For the first time in fifty years of our history, a Presidential

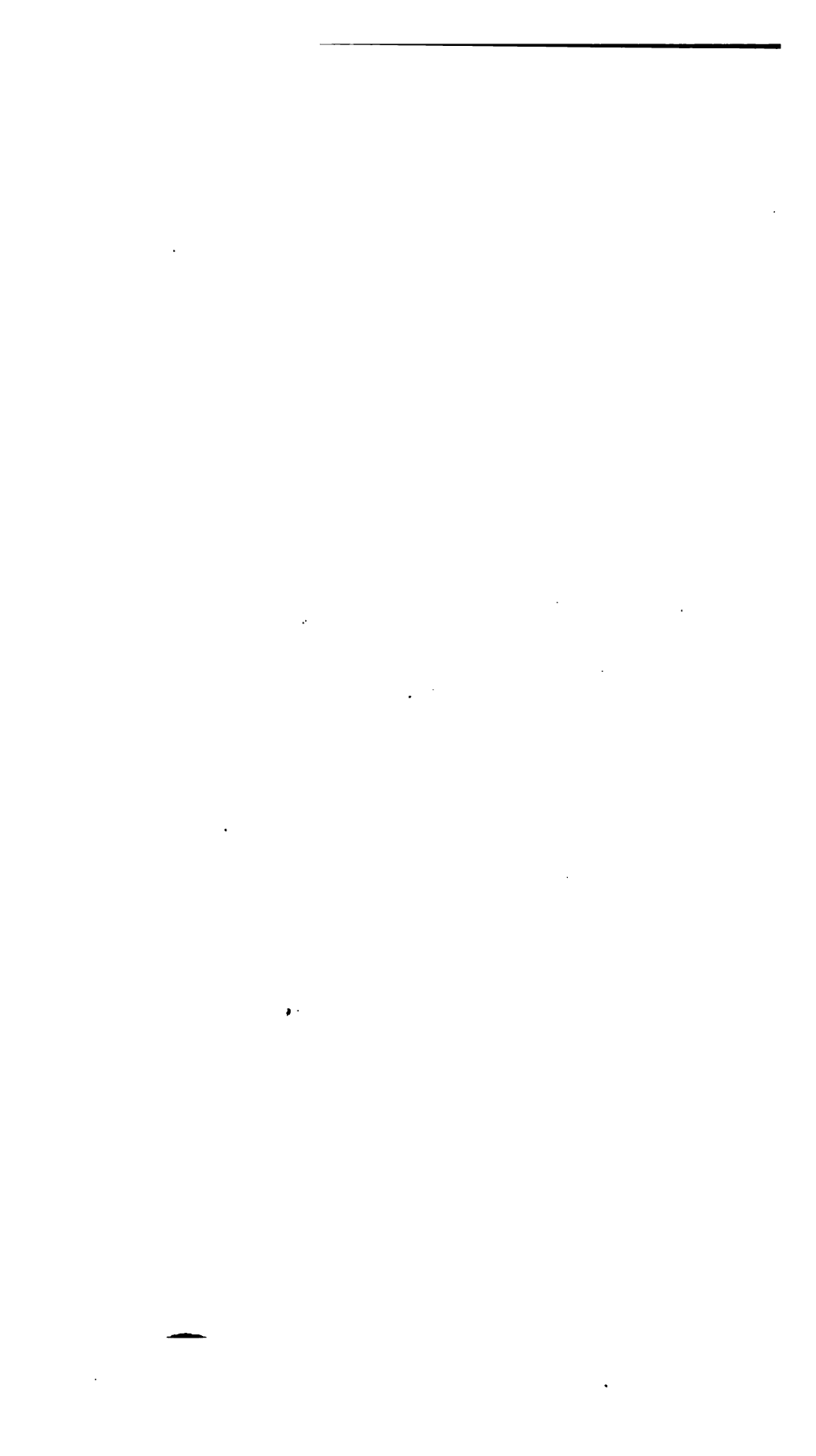
election appeals to a new class of motives. Heretofore these have been merely political: now, they are the highest *moral* motives, which can enter into such a contest; and MARTIN VAN BUREN, the third nominee, has been placed upon the only banner which regards their claim and authority. In him are most eminently combined, great experience, great ability, and sound principle. For more than thirty years he has been the great and clear light of his party at the north, guiding, moulding, and sustaining with uncommon sagacity the important measures which have vitally affected the happiness and prosperity of the country. He now stands fully and nobly committed to the vital principle of free soil. Of those who now desire to stand with him, and have been his opponents, we have simply to ask, when in all his public life has Mr. Van Buren broken a pledge or left a promise unfulfilled? What American statesman has ever made so great a sacrifice of interest to principle as he did in '44? He has occupied with signal distinction almost every grade of office to which his own state or the nation could elevate him. As a youthful advocate at the bar, he was unrivalled before a jury, and with like success has passed through a most brilliant career—from County Surrogate to State Senator—to Attorney General of New-York—to Senator in Congress—to Secretary of State for the United States—to minister at the Court of St. James—to the Vice Presidency, and finally to the Presidency of the United States. The highest ambition of the statesman has been gratified. With these honors clustering over him in his final retirement from public life—at the mature age of 66—in obedience to the imperative call of friendship and duty to those who have ever faithfully sustained him, he now stands before the country, the fit representative of the great moral principle of the free soil party. Proudly elevated as are the positions he has occupied, he now stands above them all.

In CHARLES FRANCIS ADAMS, Mr. Van Buren has a worthy associate. A man of great learning—of great probity, who has spent much of a most useful and honorable life thus far in the able defence of the great principles of justice—a worthy son of a noble sire.

With these names we commence a new era in our political history.—We are now called upon to estimate those who would aspire to power by the consistency and purity of their political principles. Without this, mere intellectual greatness must have little value. But with this, it must and will be of infinite value. In the light then of all these facts, and in view of the character of our candidates, let every voter come to the ballot with the simply inquiry;—which of the candidates of the three parties will best advance the great principle vital to the happiness of this nation?







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